

BRITISH COLUMBIA.

FURTHER PAPERS

RELATIVE TO THE

AFFAIRS OF BRITISH COLUMBIA.

PART III.

COPIES of DESPATCHES from the GOVERNOR of BRITISH COLUMBIA to the SECRETARY OF STATE FOR THE COLONIES, and from the SECRETARY OF STATE to the GOVERNOR, relative to the GOVERNMENT of the COLONY.

Presented to both Houses of Parliament by Command of Her Majesty.
1860.



LONDON:

PRINTED BY GEORGE EDWARD EYRE AND WILLIAM SPOTTISWOODE,
PRINTERS TO THE QUEEN'S MOST EXCELLENT MAJESTY.
FOR HER MAJESTY'S STATIONERY OFFICE.

1860.

THE PROVINCES OF
BRITISH COLUMBIA & VANCOUVER ISLAND
WITH PORTIONS OF THE
UNITED STATES & HUDSON'S BAY TERRITORIES.
Compiled from
ORIGINAL DOCUMENTS,
by
JOHN ARROWSMITH.
1859.

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RELATIVE TO

THE AFFAIRS OF BRITISH COLUMBIA.

PART III.

Despatches from Governor Douglas.

No. 1.

COPY of DESPATCH from Governor DOUGLAS, C.B., to the Right Hon.
Sir E. B. LYTTON, Bart, M.P.

BRITISH
COLUMBIA.
No. 1.

(No. 127.)

Victoria, Vancouver's Island, April 8, 1859.

(Received May 28, 1859.)

(Answered No. 22, Sept. 19, 1859, page 101.)

SIR,

I HAVE the honour of transmitting herewith for your information, an Abstract of the Revenue and Expenditure of the Colony of British Columbia, taken from the accounts of that Colony, which have been made up in a clear and intelligible form, to the 23rd day of February 1859.

2. Those books comprise all our financial transactions up to that period. It will be observed, that the income derived from the various sources therein shown, amounts to the sum of 22,924*l.* 1*s.* 5*d.*, and the expenditure for the same period to 25,059*l.* 6*s.* 4*d.*, exceeding the income by the sum of 2,135*l.* 4*s.* 11*d.*

3. To meet that deficiency there is on the other hand the sum of 10,284*l.* 19*s.* 9*d.* remaining, partly in cash at Langley, and partly due on the sale of town lots, at the same place; a small sum invested in Government buildings, and in aid of the Harrison's river road, which leaves a balance on that date exceeding 8,000*l.* in favour of the Colony.

Some petty balances may remain outstanding at Fort Hope, Yale, and Lytton, which were not received in time to be incorporated with those accounts; but such sums will be paid out of the current revenues of those districts.

At the towns of Lytton, Hope, and Yale, which were surveyed and laid out into building lots last autumn, no sales have yet been made, but instructions have been conveyed to the Commissioner of Lands and Works, to bring those lands into the market with as little delay as may be convenient.

4. The construction of the Harrison or Lillooet road has been the great source of outlay this season, that work having cost the Colony nearly 14,000*l.*

5. Large as the outlay may appear, it very inadequately represents the value of this important public work, which has removed the difficulty of access, and the great impediment to the development of the mineral regions of British Columbia.

6. The outlay for all other objects connected with the Colony, including 2,300*l.* applied in defraying the extra pay allowed, for one quarter, to the officers and ships companies of Her Majesty's ships "Satellite" and "Plumper" forms the moderate sum of 11,059*l.*

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BRITISH
COLUMBIA.

7. The removal of the intended sea port town, from Langley to Queensborough, has caused a depression in the Public Revenue, arising from sales of town lands, which ceased entirely at the former place, with the first announcement of the proposed change in the seat of Government. Colonel Moody reports that it will be several weeks before the survey of the site of Queensborough is completed, and that no country land will be surveyed for sale before the first week in May.

8. Those sources of revenue are therefore for the present altogether unproductive, though the current expenses of the Colony are somewhat increased by the addition of civil assistants to expedite the survey of country lands, and to increase the means and efficiency of the Department of Lands and Works, and to render it productive of revenue.

9. The Colonial Treasurer advocates stamp duties as a source of revenue "in combination with a self paying registration of assurances affecting real property," and I have desired him to prepare a report on the best means of carrying those views into effect. If such duties be confined even to conveyances of real estate, they will be productive of considerable revenue.

10. The want of an Assay Office in the Colony is felt as a public inconvenience, and is no doubt highly detrimental to the commercial interests of the country. There being at present no means here of ascertaining the true commercial value of gold dust, the merchant to save himself from loss will only purchase it at a low rate, which the miner will not accept, or the gold dust is retained in the merchant's hands in deposit, until samples of it are sent and tested at San Francisco. Hundred of miners worn out with the expense and delay so occasioned, fly in disgust with their gold to San Francisco.

11. An Assay Office established here, the evil would cease to operate, and the gold would remain in the country.

12. The establishment of an Assay Office would otherwise I believe prove of signal advantage to the public revenue, inasmuch as it would give facilities for levying an export duty on gold. That is now impossible, and will be, so long as the miner cannot get a fair price for his gold in this country, and in consequence keeps it in his own hands. If collected at all, in those circumstances the duty would have to be wrung from each individual miner, and they, to elude the payment, would cross the frontier and fly with their treasures into the United States.

13. The Assay Office would provide a remedy for the evil. Every man might, through its aid, learn from an official source the true value of any gold in his possession, and either spend or exchange it for coin in the country. This would throw the export of gold into the hands of large dealers, who, having no inducement to smuggle equal to the risk, would export through the lawful channel, paying the duty, which they in turn would take care to levy on the miner, by deducting it from the price paid.

14. An export duty might then be imposed with advantage, and be found easy and cheap of collection. The other features of the Australian system of taxation on miners might also be adopted and made applicable to the circumstances of British Columbia, in which case the licence fee on miners, so objectionable on account of the expense and affrays produced in its collection, would cease to be enforced.

15. I have only further to state in reference to the Abstract of British Columbia Accounts forwarded, that the Treasurer, Captain Gosset, has now the sole and entire arrangement of the Financial Department, over which I have hitherto had to maintain a rigid control.

The Right Hon. Sir E. B. Lytton, Bart, M.P.
&c. &c. &c.

I have, &c.
(Signed) JAMES DOUGLAS.

Enclosure in No. 1.

The COLONY OF BRITISH COLUMBIA for the Period ending February 23, 1859.

Dr.		Cr.	
For sums disbursed on the following accounts, viz. :—		By income derived from the following sources, viz. :—	
To mining licence account, for the collection of licences -	- £1,246 13 3	By mining licence account, for collections on this account -	- £6,522 9 11
To British Columbia account, for general expenses, and the supplying of exploring expeditions, &c. -	- 1,291 1 9	By customs duty account, for amount of duties collected -	- 5,398 5 1
To Fort Hope district account, for expenses of transport of police and prisoners -	- 50 0 0	By Harrison's River Road account, for amount of deposits made by men employed on the road -	- 2,609 7 6
To Langley town land sales account, for building purposes -	- 80 17 5	By British Columbia account, for amount of head money -	- 1,417 2 8
To Langley spirit licence account, for printing expenses -	- 2 10 0	By Fort Hope district account, for amount received from general revenue -	- 224 19 0
To customs duty account, for expenses of collecting revenue, &c. -	- 1,748 9 9	By Langley town land sales account, for amount of purchase money of lots sold at Langley -	- 6,651 17 3
To Harrison's River Road account, for the supply and transport of provisions to road makers, for compensation and general expenses -	- 14,674 5 2	By Langley spirit licences account, for amount of one licence granted -	- 100 0 0
To Public Works account, for buoys and advertising -	- 9 3 4	By balance carried down -	- 2,135 4 11
To Fort Yale district account, for transport of police and prisoners, for building materials, salaries, and general expenses -	- 608 7 8	Of this excess of expenditure there is due :—	
To Fort Dallas district account, for general and police expenses, by order of His Excellency the Governor -	- 189 15 4	To Hudson's Bay Company's account -	- £1,807 19 1
To H.M.S. "Satellite," for extra pay -	- 1,558 0 10	To Vanaimo coal mining establishment -	- 142 0 10
To H.M.S. "Plumper," for extra pay -	- 745 14 2	To Victoria Land Office account -	- £2,135 4 11
To Port Douglas district account, for Commissioner's order -	- 51 3 11		
To Langley surveying department account, for expenses of surveying -	- 350 6 10		
To Langley district account, for transport of police and prisoners -	- 9 7 6		
To revenue account, for pay to crews of brigantine "Recovery," and of H.M.S. "Satellite," and general expenses -	- 585 8 4		
To Fort Hope road account, for payment of labour, &c. -	- 223 13 8		
To Government House account, } For expenses incurred by the Royal Engineers in erecting	- 196 19 0		
To Langley barracks account, } residence for Lieut.-Governor Moody, for barracks, and	- 725 2 3		
To lands and works account, } general expenses -	- 5 0 0		
To charges account, for sundry small expenses -	- 3 19 2		
To police account, for passage of officers -	- 8 6 8		
To Coast Guard service account, for incidental expenses on revenue account -	- 20 16 8		
To special survey account, for expenses incurred on this account by Captain Parsons -	- 22 0 0		
To judiciary account, for advertising -	- 1 16 5		
To expedition under Lieut.-Governor Moody to British Columbia -	- 504 10 7		
To Secretary's office account, for stationery and a safe -	- 16 13 4		
To magistrate's department account (Langley), for payment of salaries -	- 104 3 4		
To Gold Commissioner's account, for analysis of ores, &c. -	- 4 3 4		
To Hon. M. B. Begbie, for payment on account of salary -	- 20 16 8		
	- £25,059 6 4		
To balance brought down, against the Colony of British Columbia -	- £2,135 4 11		
	- £23,059 6 4		
		Against which balance there appear the following assets, viz. :—	
		At Fort Yale, one court house, one prison, Gold Commissioner's office, and Crown Commissioner's office, valued at about —, and sale of town land lots, not yet effected -	- £575 0 0
		At Fort Hope, court house, post office, and prison, valued at about —, and sale of town land lots, not yet effected -	- 250 0 0
		At Fort Douglas, sale of town land lots, not yet effected -	- 429 0 10
		At Langley, money in the hands of J. M. Yale -	- 21 5 0
		" " W. H. Bevis -	- 102 =
		" balance due on Langley town land sale -	- 40,239 ¹⁰ / ₁₀₀ =
		" Harrison's River Road account, the sum of \$1,512 ¹⁰ / ₁₀₀ advanced to G. B. Wright on account of transport of provisions, payable in 60 days from February 15th, the payment secured by note and mortgage, and bearing interest at the rate of 2 per cent. per month -	- 8,387 6 0
		From Harrison's River Road account, the sum of \$1,475, due from W. Doscher, at Port Douglas for the payment of mules and wagons sold to him, the payment secured by a bill of sale of the mules and wagons -	- 315 2 1
			- 307 5 10
			- £10,284 19 9

COPY of DESPATCH from Governor DOUGLAS, C.B., to the Right Hon.
Sir E. B. LYTTON, Bart., M.P.

Victoria, Vancouver's Island, April 11, 1859.

(Received May 28, 1859.)

(No. 129.)

(Answered No. 76, June 4, 1859, page 97.)

SIR,

* Vide papers
presented
August 1859,
page 77.

I HAVE duly received your Despatch of the 22nd January 1859, No. 7,* conveying to me your approval of the construction of the route by Harrison's River, and acquainting me that you look to the payment of all expenses connected with it out of local, and not from Imperial, funds.

2. The gratifying expression of your approval in this matter is very acceptable to me, and I am happy to be able to state that we have paid the whole expenses of the road, amounting to 14,000*l.*, out of the local revenue. The undertaking has been a severe tax upon our small resources, but the work was indispensable for the development of the country, and it will in the end greatly benefit the revenue by the increase of the imports which it is the means of introducing into the interior.

I have, &c.

The Right Hon. Sir. E. B. Lytton, Bart., M.P. (Signed) JAMES DOUGLAS,
&c. &c. &c. Governor

COPY of DESPATCH from Governor DOUGLAS, C.B., to the Right Hon.
Sir E. B. LYTTON, Bart., M.P.

(No. 135.)

Victoria, Vancouver's Island, April 11, 1859.

(Received May 28, 1859.)

(Answered No. 22, Sept. 19, 1859, page 101.)

SIR,

* Page 1.

IN continuation of the remarks on the expediency of establishing an Assay Office in this Colony, which I was unable to continue in my Despatch No. 127* of the 8th instant, in consequence of the reported arrival of the mail steamer from San Francisco, which remains here at each visit only a few hours.

2. I have further to remark that we have attempted to induce the owners (not Americans) of *private* Assay Offices in San Francisco to establish branches of their houses at Victoria, but without success. The objections made by them were to this effect:

That Her Majesty's Government would at no distant date probably establish a mint at Victoria, and their business would therefore then cease.

That being foreigners they could not expect the same privileges as are granted to English houses taking up the assaying business.

Their chief reason however was this, that they had already the whole assaying business of British Columbia in their hands, as nearly all the gold produce of the Colony is now carried to San Francisco, and they had therefore nothing to gain by extending their business to Victoria, or to compensate for the certain outlay of capital which the process would involve.

3. I do not know what steps can be taken by Her Majesty's Government to deliver the Colony from so great an evil as is the present drain of its resources towards San Francisco, and the loss and delay to which miners are exposed in selling gold here; but I clearly see the advantage of a direct trade between the Mother Country and British Columbia, and I am of opinion that the establishment of an Assay Office in Victoria would be an important step in advance.

4. Having an Assay Office here, the miner would only have to take his gold there, have it assayed, and receive value for it; or if he preferred it, have it run into bars at a very trifling expense, and then he could dispose of his bars, which would bear the fineness and weight upon them by mint mark, just as readily as he could of coin, or he could convert them into coin; in fact, bars would be currency.

5. An Assay Office must, however, be the property either of the Government, to give it the stamp of character unsuspected, or it must be owned by a private party possessed of capital, in high credit, good mercantile reputation for probity, and well known to the mining community. This last quality above all is requisite.

6. As no private person on the Pacific coast who could fulfil the chief conditions, which I consider indispensable to success, namely public confidence, is disposed to come here, the only prudent and efficient plan is to establish a Government Assay Office. It should be on a large scale, for there will be abundance of work.

7. The expense would be small, involving little more than the erection of a house, a fire-brick furnace, a few crucibles which could, no doubt, be made here, a good assayer, and a few assistants. The process is simple to a degree, and the whole expense of the plant of an Assay Office would not exceed 600*l*. Its operation, judging from the experience of the San Francisco private assayers, who have all become wealthy, would leave a profit. I therefore believe that a well managed Government Assay Office would, at least, pay its own expenses.

8. Its advantages to the Colony would be incalculable. Keeping the gold circulating in the country, the status it would give the place, the confidence it would inspire abroad, the benefits to the miners, the contentment it would diffuse amongst them, by the certainty and fairness and celerity of its operations, and its security, are amongst the advantages of such an establishment.

9. A mint would certainly be more efficient, but that is an expensive establishment, though if Her Majesty's Government were to set one up, I think the circumstances of the country would justify the outlay. It would also require time to complete and perfect its details, but the establishment of an Assay Office involves little delay, and a very moderate expense, therefore I beg to recommend the plan to the favourable consideration of Her Majesty's Government.

I have, &c.

(Signed) JAMES DOUGLAS,
Governor.

The Right Hon. Sir E. B. Lytton, Bart, M.P.
&c. &c. &c.

No. 4.

No. 4.

COPY of DESPATCH from Governor DOUGLAS, C.B., to the Right Hon.
Sir E. B. LYTTON, Bart., M.P.

(No. 136.)

Victoria, Vancouver's Island, April 12, 1859.

(Received May 28, 1859.)

(Answered No. 75, June 3, 1859, page 97.)

SIR,

SINCE the last report I had the honour to make on the state of the country, contained in my Despatch of the 25th of March, No. 123,* I have received various communications from British Columbia, the substance of which I will proceed to impart for your information.

* Vide papers
presented
August 1859,
page 70.

2. Judge Begbie is now on circuit in British Columbia, having successively opened court at Langley, Fort Hope, and Yale, and by last accounts was proceeding to "Lytton" with a similar object in view.

3. The docket did not contain many cases, and was soon disposed of. Two cases of shooting were tried at Langley, but the jury did not convict capitally in either of the cases.

4. The last reports from Mr. Commissioner Brew are dated from Port Yale, 2nd of April. That officer has not been successful in collecting the miners' licence fee. The following is an extract from his letter on that subject:—

"During the last week we collected over 150 dollars from miners about Fort Yale. Some men paid the tax most willingly, but from the majority of the miners it was extracted with difficulty and after great grumbling. I intend to make an excursion towards Fort Hope next week to settle some difficulties about ditches, and I shall avail myself of the opportunity to have the miners' tax collected from parties who on a former occasion refused to pay. Mr. Justice Smith, from Fort Hope, was at Fort Yale yesterday. He informs me that he hopes to be able to collect the tax from the greater number of miners about Fort Hope.

"On the 30th ult. I went in a canoe up the river some distance to visit the Bars and ascertain if any mining was going on. The snow was too deep on the ground to admit of sluicing, and, except at one place, where there was a hand machine for lifting water, all the miners were idle."

BRITISH
COLUMBIA.

5. It may be observed in apology for Mr. Brew's want of success in collecting revenue, that the miners have not yet fairly got to work, but he will no doubt insist on a strict compliance with the established mining regulations as soon as the weather becomes genial and more favourable for mining pursuits.

6. The migration of miners to the upper districts of Fraser's River continues unabated. 300 boats, carrying on an average five white men each, had passed Fort Yale previously to the 24th of March, and a greater number of men are reported to have gone towards the same quarter by land, having packed their provisions either on mules or on men's backs to the various diggings, giving thus a collective number of about 3,000 men.

7. Favourable reports continue to arrive from Bridge River. It had just come to Mr. Brew's knowledge that two men had arrived at Fort Yale with 600 ounces of gold dust, which they had washed out during the winter at Boston Bar, 40 miles beyond Fort Yale.

8. A nugget, weighing 3 ounces less 2 pennyweights, was lately found at Bridge River, which I herewith forward for your inspection, on account of its being the largest piece of gold yet found in British Columbia.

9. I forward a copy of a communication from Mr. Assistant Commissioner Travaillet, dated "Lytton," 16th March. The country was perfectly quiet, and the Commissioner was engaged in erecting a small building to serve as Government House, at a cost of 2,100 dollars, 1,000 dollars of which he had already paid out of the proceeds of local revenue, and the balance he would be in funds to meet about the 1st of April.

* Nos. 38 to 44
from March 29
to April 12,
1859.

10. The numbers of the "Victoria Gazette"* herewith forwarded will give some additional intelligence, which may be interesting.

I have, &c.
(Signed) JAMES DOUGLAS,
Governor.

The Right Hon. Sir E. B. Lytton, Bart. &c. &c. &c.

Encl. in No. 4.

Enclosure in No. 4.

COPY of Letter from O. T. TRAVAILLET, Esq., Assistant Commissioner, dated Lytton, British Columbia, March 16, 1859, to Governor DOUGLAS.

MONSEIGNEUR,

J'AI eu l'honneur de recevoir avant-hier au soir les ordres de votre Excellence, en date du 14 Janvier, ainsi que vos Proclamations du 8^e et 14^e Fevrier de cette année. Conformément à vos ordres du 10 Janvier et à sa requête j'ai adressé mes rapports directement à Monsieur Brew, et me prépare à lui transmettre pour la fin de ce mois un compte rendu général de finances de ce district.

Bien que vos ordres soient de correspondre directement avec le Chef Commissaire, je pense néanmoins, Monseigneur, qu'il est de mon devoir de vous informer de la direction que prennent les affaires publiques, afin que votre Excellence puisse donner des ordres pour établir et maintenir partout le bon ordre.

* Harrison's
River.

Suivant toutes les apparences, le mouvement de l'émigration se fera dans les hauts de la Rivière Fraser; les mines du canot sont réputées très riches, et depuis deux semaines que les voyages ont commencé, une grande quantité de mineurs s'est portée sur ce point. La Rivière Salloet* n'est pas gardée, et par cette voie doivent passer les approvisionnements de toute espèce. Le Trésor Public peut-être frustré d'un grand revenu en ne surveillant pas l'embouchure de cette rivière, qui va devenir la clef du Haut Fraser. Il serait donc désirable d'y établir au plus vite un poste, de même, un juge de paix pour "Fontaine."

* Seaton River.

Le ferry aux fourches de Thompson ne pourra être completé que le 1^{re} Mai, par suite du malheur survenu au batelier W. Clarke, qui s'est noyé le 9 de ce mois onze milles plus bas que Boston Bar. Celui de Salloet est établi à French Bar à mi-distance des deux rivières Salloet* et Bridge. Un pont a été jeté sur cette dernière. J'ai eu l'honneur de vous adresser, par l'intermédiaire de Mr. Brew, une copie du contrat qui doit être sanctionné par votre Excellence.

* Government
House.

Je fais bâtir, d'après les ordres de Monsieur le Colonel Moody, une maison* qui passe pour la meilleure et la plus noble de toute la colonie; elle coûtera \$2,100. J'en ai déjà payé \$1,000, et suis prêt à payer la balance lorsque la maison sera achevée, c'est-à-dire, fin Mars.

Je me suis adressé à Mr. Brew pour avoir des licences de mineurs, la saison s'ouvre et de celles que j'ai reçu de votre Excellence à Fort Langley il ne me reste que 150, qui ne dureront pas longtemps, vu que dans deux jours je serai en route pour collecter,

J'ai l'honneur, &c.
(Signed) O. T. TRAVAILLET, Assistant Commissioner.

No. 5.

BRITISH
COLUMBIA.

No. 5.

COPY of DESPATCH from Governor DOUGLAS, C.B., to the Right Hon.
Sir E. B. LYTTON, Bart., M.P.

(No. 137.)

Victoria, Vancouver's Island, April 12, 1859.

(Received May 28, 1859.)

(Answered No. 3, June 30, 1859, page 97.)

SIR,

I REGRET to state that no small amount of injury has undoubtedly been caused to the colony of British Columbia by the owners of the steam boats which are now and have been for some time past running on Fraser's River. These individuals are citizens of the United States, and they oppress alike the miner and the merchant by their exorbitant charges for passage and freight.

2. The rate now levied for the transport of a ton of goods from this place to Fort Hope is 72 dollars, or more than 14*l.* sterling. The charge made last summer, when I possessed the power of regulating prices, was 25 dollars, or 5*l.* a ton from this place to Fort Yale, which is fifteen miles of difficult navigation beyond Fort Hope, and large profits were made at that rate. I fear the owners are now combining to perpetuate the evil by taking out British registers for their vessels, by means of transfers to British subjects, which there is every reason to believe are only nominal and fictitious, although, all the requirements of the law being complied with, it is difficult to establish legal proof of that fact.

3. In this part of the world competition is not allowed to produce its legitimate effects; it is the practice to buy up every rival line, or to pay them handsomely for allowing their ships to lie idle, and the public are charged a higher rate to cover the additional expense which their oppressions have incurred. The American Pacific Mail Steam Ship Company is a notable example of this method of proceeding, this company having hitherto bought off every line established to compete with it. I will instance another case. Last year a steamboat called the "Maria" was started on the Sacramento River in opposition to the boats of, I believe, the California Steam Navigation Company. She was bought off by that company. Her proprietor immediately brought her up to this place to run on Fraser's River, buying off another boat which he on arrival found on the river, and sending this second boat down to San Francisco to commence another opposition on the Sacramento River in order to be again bought off.

4. The Victoria Steam Navigation Company, a British company, who have one large river steamer employed between this port and Langley, are now engaged in building a smaller vessel for the higher navigation of Fraser's River. The directors of this company lately applied to me for the protection of Government against the machinations of these foreign speculators. I commented upon the extravagant rate of freight, and suggested a large reduction as the best means of meeting their competitors, whereupon the directors offered to provide vessels in sufficient numbers to perform the whole transport business on Fraser's River at the rate of 25 dollars, or 5*l.* sterling a ton, provided they were secured against these, in reality American owners of British registered vessels, in the exclusive privilege of navigating the river until the end of next September. Monopoly would in such a case be a public gain, but being illegal, I could not entertain the proposal, though I cannot but regret that, under such circumstances, I have no power by which I could protect the public interest.

5. The directors further assured me that they had been invited by the American owners to join in the combination for maintaining the high rates of freight; but as the directors declined making the statement in writing, no legal use could be made of it.

6. The Government legal authorities here are of opinion that we have no power to refuse the change of register from American to British, even for vessels employed in British inland waters.

7. I transmit a copy of two letters from the secretary of the before-mentioned company, and as the matter is one of much importance to the interests of the colony, as well as being a national question, I should feel obliged if it were submitted for the opinion of the law officers of the Crown, and that I may be informed whether I should be justified in withholding a British register from vessels becoming British under such circumstances as those described, which appear to me simply an evasion of the law.

I have, &c.

The Right Hon. Sir E. B. Lytton, Bart.
&c. &c. &c.

(Signed) JAMES DOUGLAS,
Governor.

BRITISH
COLUMBIA.

Enclosure 1 in No. 5.

Encl. 1 in No. 5.

COPY of Letter from James N. Thain and Alexander Sinclair Murray, of the Victoria and British Columbia Steam Navigation Companies, dated Victoria, April 7, 1859, to Governor DOUGLAS.

SIR,

IN conformity with the desire expressed by you, at a recent interview held with you on the subject of the navigation of Fraser River, that we should considerably reduce the present scale of charges on freight to the different points on that river, we beg respectfully to make the following tender: That on condition of the exclusive privilege of the navigation of the inland waters being granted to us, as representing the only *bond fide* owned British vessels running on the Fraser River, we will carry the Government, the Hudson's Bay Company's, and all merchant freight at the rate of twenty-five dollars (\$25) per ton, from this to Fort Hope or Port Douglas, from the time the rising of the water will admit of our steamers reaching those points to the end of the month of September next.

We are induced to make this low tender (the present rate of freight from here to Fort Hope being \$72 per ton of 2,000lbs.) in order to protect owners of British steamers built in the colony from the prejudice they would suffer if any nominal transfers of foreign vessels be effected, such we are informed being at present contemplated.

We have, &c.

(Signed) JAMES N. THAIN,
Secretary, Victoria Steam Navigation Company.
ALEXANDER S. MURRAY,
for British Columbia Steam Navigation Company.

Encl. 2 in No. 5.

Enclosure 2 in No. 5.

COPY of a Letter from the Victoria Steam Navigation Company, and from the British Columbia Steam Navigation Company, to his Excellency Governor DOUGLAS, April 7, 1859.

SIR,

IN compliance with your Excellency's desire that we should state in writing the substance of our conversation with you this morning, we willingly repeat the same, feeling that the interests of all British shipowners are at stake in this matter.

The owners of the American steamers "Maria," Lubbock master, and the "Enterprise," Wright master, now lying at Langley on Fraser river, contemplate making a change of register for the purpose of enjoying the trade of British Columbia, which we contend they are unable to do, from the fact that the vessels are entirely foreign built, and, as such, should be debarred running on British inland waters. Our construction of the law is that a difference exists between the rights of foreign vessels, which may become British property, to navigate ocean and inland waters, the latter privilege belonging only to vessels actually British built, and entirely owned by British subjects, unless the persons buying foreign steamers built expressly for inland navigation comply with the English law previous to 1851. If such is not the case, there is no longer any protection to British shipping.

In the intended disposal of the steamers we have alluded to, we also think that the actual requirements of the law will not be complied with by the cash payment of the value of the steamers. The acceptance by the owners, of promissory notes accompanied by a mortgage for the value of the steamers, payable out of their earnings, would actually leave the ownership of the steamers in their hands until the profits enabled the purchasers to pay; but as we look upon the matter, the intended sales, being a mere evasion of the law by the owners, would at once be cancelled, and the payment of the notes would not be enforced should one or both of the steamers be lost before the acceptances became due.

*"Maria" and
"Enterprise."

The estimated payment for the two steamers* will be sixty thousand dollars. We may mention that the "Enterprise" was at one time sold for eight thousand dollars, and the "Maria" was also recently offered for twenty-five thousand dollars. If these transfers are carried out, British ship interests on the Fraser River will almost cease, as the entire carrying trade will be performed by these and other American vessels which will be sent up from California.

In concluding our remarks, we would inform your Excellency that British steamers are now being built in England for the inland navigation of the Fraser River, whose owners would most assuredly not have contracted for them had they supposed that American vessels could be thus transferred to the entire prostration of British interests.

We have, &c.

for the Victoria Steam Navigation Company,
(Signed) JAMES N. THAIN, Secretary.
for the British Columbia Steam Navigation Company,
(Signed) ALEXANDER SINCLAIR MURRAY.

No. 6.

No. 6.

COPY of DESPATCH from Governor DOUGLAS, C.B., to the Right Hon.
Sir E. B. LYTTON, Bart., M.P.

(No. 141.)

Victoria, Vancouver's Island, April 25, 1859.

(Received June 10, 1859.)

SIR,

I HAVE duly received your Despatch of the 12th February last, No. 22,* expressing to me the satisfaction of Her Majesty's Government at the tranquillity prevailing in the

* Vide papers
presented
August 1859,
page 80.

colony of British Columbia, and commending the efforts I have made to avoid drawing upon the Imperial treasury for the expenses of the colony.

BRITISH
COLUMBIA.

2. I need not say how gratifying is this approval to me. Her Majesty's Government may rest assured that I will not relax in the application of the most rigid economy to the public affairs of the colony; and I doubt not that, apart from the expenses incurred by the detachments of Royal Engineers and Royal Marines, we shall continue to be able to meet the other expenses of the colony, and that ultimately British Columbia will be able to repay the advances made to her by the mother country.

I have, &c.

The Right Hon. Sir E. B. Lytton, Bart., M.P. (Signed) JAMES DOUGLAS,
&c. &c. &c. Governor.

No. 7.

No. 7.

COPY of DESPATCH from Governor DOUGLAS, C.B., to the Right Hon.
Sir E. B. LYTTON, Bart., M.P.

(No. 143.)

Victoria, Vancouver's Island, April 25, 1859.

(Received June 10, 1859.)

SIR,

SINCE my report of the 12th instant* nothing of much importance has occurred * Page 5.
respecting the colony of British Columbia.

2. Mr. Begbie returned yesterday from Fraser's River, after visiting all the settlements as far as the Fountain. The country appears by his report to be everywhere quiet.

3. The Indian population have suffered much privation of food in consequence of the dearth of fish and their natural improvidence; but the white miners were well supplied, though provisions were selling at a high price, caused chiefly by the distance from the sea and the heavy expense of transport.

4. The snow was still lying deep in many parts of the road when Mr. Begbie left the Upper Fraser. The miners were, however, beginning their labours, and were moving into the upper country in great numbers.

5. The accounts from the mining bars below Fort Yale are most satisfactory. Mr. Perrier, late justice of the peace, who arrived lately from that part of the country, has given me much interesting information respecting the earnings of the miners, of which I will proceed to give a synopsis for your information. Hill's Bar, on which he holds a mining claim, is yielding more gold than at any former time. The receipts of the companies who supply water for sluicing amount to 1,200 dollars a week, and four men took out of one mining claim the large amount of 4,000 dollars' worth of gold dust in six consecutive working days. Prince Albert's Flat yields from 5 to 12 dollars a day to the man. Emory's Bar was nearly deserted in consequence of the rush of miners to the upper country. Texas and Victoria Bars are yielding fair wages, and even as far down and below Fort Hope the miners are doing remarkably well for the season. The bars are now generally deserted for bank diggings above the highest level of the river, and Mr. Perrier is satisfied that all the table lands between Forts Yale and Hope in the valley of Fraser's River are auriferous, and will yield large wages to the industrious miner. Those diggings are yet but imperfectly prospected and little known, but wherever explorations have been made, a highly auriferous stratum, varying from three to four feet in thickness, has been discovered about eight feet below the surface, and my informant further adds that the surface mould itself contains enough of gold to cover all the expense of its washing and removal.

6. The Royal Engineers and Royal Marines have been all safely landed at Queensborough, where they are now stationed, and Colonel Moody is also at that place making arrangement for their comfortable accommodation and directing the surveys of public land and other affairs connected with his department. Several numbers of the "Victoria Gazette," as per margin, are herewith forwarded for your information.

14 April 1859.
16 "
19 "
21 "
23 "

I have, &c.

The Right Hon. Sir E. B. Lytton, Bart., M.P. (Signed) JAMES DOUGLAS,
&c. &c. &c. Governor.

BRITISH
COLUMBIA.

No. 8.

No. 8.

COPY of DESPATCH from Governor DOUGLAS, C.B., to the Right Hon.
Sir E. B. LYTTON, Bart., M.P.

Victoria, Vancouver's Island,
May 8, 1859.

(Received June 27, 1850.)

(No. 150.)

SIR,

1. THE latest advices from British Columbia, report satisfactorily as to the peace and good order which reigns in the Colony; the confidence of the people in its auriferous wealth, notwithstanding occasional fits of panic, is unbounded; but there is a general outcry for better roads into the interior, the difficulty of access still forming the great impediment to the development of its mineral resources.

2. The cost of transport enhances the price of food, and of all other necessities of life, from Lytton upwards; to an extent which absorbs nearly the whole of the miners' earnings, large as they occasionally are. The production of food by the cultivation of the soil in the mining districts, and the improvement of the Harrison river route into a waggon road, and otherwise opening the great commercial thoroughfares of the country, are measures of relief to which I have urgently directed the attention of the Commissioner of Lands and Works.

3. The extensive plains on the Pitt, Smess, and Chilwhayook rivers, are to be hurriedly surveyed, and thrown into 80 acre sections for immediate occupation for the purpose of raising food and retaining a permanent population in the country.

4. Sales of town land are soon to take place at Queensborough, Forts Yale, Hope, and Port Douglas, which I trust will bring in a considerable amount of revenue.

5. The Custom House receipts for the last fortnight amount to something over 773*l*. sterling, and will rapidly increase with the growth and expansion of the country.

6. The mining districts yield hardly revenue enough to pay their own police expenses, in consequence of the difficulty of collecting the Licence Fee on miners, who will pay no tax except through the force of compulsion.

7. We must, I think, adopt some other system of taxation pressing less directly upon the individual miner. The miners' right, and the export duty on gold,—features of the Australian system,—recommend themselves from the ease and simplicity of their collection, and having already the machinery and staff required for that purpose. The state of the country is, however, hardly ripe as yet, for the imposition of an export duty on gold, but the day is probably not far distant when the gold will be exchanged in the country and exported in large quantities by banking and commercial houses, when the difficulty of collecting the duty will cease.

8. Many reasons induce me to try another plan, which under firm management would I think work well. By remodelling the whole system of mining regulations in British Columbia, and instead of levying mining fees which would, in that case, be abolished, I would purpose to treat the gold fields simply as crown land, and letting it out in large or small allotments, on leases at a fixed rent, to any persons disposed to work the soil. The revenue would thus be derived from a Land Rent, and not be levied under the name of an obnoxious tax, and tenants would be ejected at will on their failure to pay the stipulated rent.

I will have more I hope to communicate on those subjects by the next mail.

9. Captain Richards is now engaged in Her Majesty's surveying ship "Plumper," in making a survey of the lower part of Fraser's river, and Lieutenant Mayne has been detached to make a reconnaissance of the river to the fountain, with instructions to return by Harrison river for the same purpose, I anticipate much valuable information from the report of that officer, which I will forward to you when received.

The numbers of the Victoria Gazette mentioned in the margin are herewith forwarded.

I have, &c.

The Right Hon. Sir E. B. Lytton, Bart., M.P., (Signed) JAMES DOUGLAS,
&c. &c. &c. Governor.

April 26 to
May 10.

No. 9.

COPY of DESPATCH from Governor DOUGLAS, C.B., to the Right Hon.
Sir E. B. LYTTON, Bart., M.P.

BRITISH
COLUMBIA.

No. 9.

Government House, Victoria, Vancouver's Island,

(No. 153.)

May 12, 1859

(Received July 11, 1859.)

SIR,

I HAVE the honour to acknowledge the receipt of your Despatch of the 11th February, No. 20,* referring to the sale of town lots at Langley, and conveying to me your approval of my proceedings in that matter.

* Vide papers
presented
August 1859,
page 80.

2. I have perused with much attention your remarks upon the subject of aliens acquiring land, and I return you my best thanks for the same and for your kindness in furnishing me with the Canadian Acts, which will prove of great service in legislating for that class in British Columbia.

3. With reference to your remarks respecting the position of the town, I would beg to state that I was guided in choosing Old Langley as the site of a commercial town chiefly by the partiality displayed for that spot by the mercantile community of the country, whose instincts in such matters is generally unerring.

4. The place, moreover, possesses great natural advantages for trade, being accessible by land from Semiahmoo, having deep water, a bold shore, and good anchorage. The land is also clear of trees, and was surveyed at a very small expense, and therefore perfectly suiting our pecuniary means.

5. The operation on our part was a financial measure rather than one founded on any cogent reason of policy. The locality was popular, and the land realized a larger return of revenue than any other spot on the river would have done. You will doubtless have perceived from my Despatch No. 9,† 3rd November last, that I never proposed constituting Langley the sea-port town of Fraser's River, for which purpose it would not, in my opinion, have been adapted, owing to the obstructions caused by ice in the winter, and its greater distance from the sea than the proposed port of entry, Queensborough.

† Vide papers
presented
August 1859,
page 19.

I have, &c.

The Right Hon. Sir E. B. Lytton, Bart.
&c. &c. &c.

(Signed) JAMES DOUGLAS,
Governor.

No. 10.

COPY of DESPATCH from Governor DOUGLAS, C.B., to the Right Hon.
Sir E. B. LYTTON, Bart., M.P.

No. 10.

Government House, Victoria, Vancouver's Island,

(No. 154.)

May 14, 1859.

(Received June 27, 1859.)

SIR,

By an unexpected conveyance, which is on the eve of departure, I beg to communicate to you the latest intelligence I have received from British Columbia.

2. In a letter addressed to the Collector of Customs at Victoria by a Mr. G. B. Wright, a respectable merchant, and dated at Bridge River, April 23rd, some specimens of native copper quartz and gold are enclosed; and Mr. Wright states that the reports at that time from the upper country are of very rich but shallow diggings; that large quantities of gold were then being taken from the bars; and that a great many of the sluicing companies who have permanent diggings were commencing work; and also that men were continuing to rush forward to the Upper Fraser in large numbers.

3. I forward herewith the latest numbers of the "Victoria Gazette."

12th and 14th
May.

I have, &c.

The Right Hon. Sir E. B. Lytton, Bart.
&c. &c. &c.

(Signed) JAMES DOUGLAS,
Governor.

No. 11.

BRITISH
COLUMBIA.

No. 11.

COPY of DESPATCH from Governor DOUGLAS, C.B., to the Right Hon.
Sir E. B. LYTTON, Bart., M.P.

Government House, Victoria, Vancouver's Island,

May 23, 1859.

(Received July 11, 1859.)

(Answered No. 9, July 28, 1859, page 98.)

(No. 156.)

SIR,

* Vide papers
presented
August 1859,
page 78.

I HAVE duly received your Despatch of the 7th February, No. 16.*

Do. do.
page 64.

2. I observe with much satisfaction that the system of land sales which we proposed to continue in Vancouver's Island, and to introduce into British Columbia, has generally met with your approval. With regard to your suggestion that an upset price, lower than 1*l.* per acre for ordinary country land, should be adopted, provided that good practical reasons for such a course should exist, I would remark that during the completion of our arrangements for the sale of land it did occur to me that a lower upset price than before proposed would probably promote the settlement of the country, which might otherwise be retarded, owing to the low rate of land in the adjacent territories of the United States; for these and other reasons the upset price was fixed by the Proclamation of the 14th February last at 10*s.* an acre, as stated in my Despatch No. 104,† of the 19th February last. It is also very gratifying to observe that we have fallen into your views in making one general upset price for the land and in adopting the system of sale by auction, conceiving as we did that the interests of the public would be subserved by that more than by any other mode of sale, and that perfect confidence would be established in the purity of the land sales.

3. The only material point on which we diverged from your own views was in not requiring prompt payment for land and in permitting payment by instalments, say one-half on delivery and one-half at the end of two years.

4. The object of this regulation was to facilitate the purchase of land by settlers with small capital, who form the bulk of the present intending settlers in British Columbia. This system is undoubtedly open to the serious objections so forcibly stated in your Despatch, but we think it would not be advisable to alter it at present, nor until the settlement of the country is advancing favourably and the public revenue begins to feel the influence derived from the progressive expansion of the resources of the country, and through the increase of the Customs duties and by direct imposts on property, and on a population of profitable consumers well capable of paying taxes.

5. The system of prompt payment might, however, be adopted after the partial settlement of the country, when land acquires more than a nominal value, and becomes in a manner a convertible commodity.

6. Country land will be arranged, as you propose, in lots containing aliquot sections of a square mile, and town lands will be laid out as at present in lots of 60 by 120 feet. The latter are put up for sale at 20*l.* 10*s.* 8*d.*, and some of the unimproved Langley town lots sold at a rate amounting to 560*l.* per acre.

7. We shall continue to deal with mineral lands in the manner of which you have approved, and shall establish such liberal regulations as may encourage the exploration of the country by letting out the said lands to the discoverer.

8. I feel greatly obliged for the information you have kindly given me of the practice in other colonies in such cases, which will be of much assistance to me.

9. We propose to abolish the system of licences for digging gold, which at present barely pays the expense of collecting, and to substitute an export duty on gold and a direct tax on miners, from both of which measures we expect to derive a large increase of revenue.

10. Surveys are being extended to all the open districts of land on Fraser's River, so that the country may be laid out for immediate settlement and occupation.

11. I shall not fail to furnish her Majesty's Government with copies of all maps and plans which he may prepare, and which I trust may be found useful in awakening an interest in the public mind respecting these colonies.

I have, &c.

The Right Hon. Sir E. B. Lytton, Bart., M.P. (Signed) JAMES DOUGLAS,
&c. &c. &c. Governor.

No. 12.

COPY of DESPATCH from Governor DOUGLAS, C.B., to the Right Hon.
Sir E. B. LYTTON, Bart., M.P.

(No. 158.)

Victoria, Vancouver's Island, May 25, 1859.

(Received July 11, 1859.)

SIR,

HAVING called upon Captain Gosset, the Treasurer of British Columbia, to furnish me with such information in connexion with the establishment of a mint as he had been able to acquire previous to his departure from England, I received from him the enclosed letter, which in compliance with his request I forward for your perusal.

1 Enclosure.

2. The only point to which I would desire to draw your attention is the allusion made by Captain Gosset to the inconvenience experienced from the want of British coin in this country. This is a serious evil, and if Her Majesty's Government would entertain the suggestion of sending out a supply of coin, it would confer a real benefit on the colony.

I have, &c.

The Right Hon. Sir E. B. Lytton, Bart., M.P. (Signed) JAMES DOUGLAS,
&c. &c. &c. Governor.

Enclosure in No. 12.

Encl. in No. 12.

Treasury, Queenborough, British Columbia,

April 25, 1859.

SIR,

COMMISSIONED by the Secretary of State for Her Majesty's colonies to undertake the task of organizing a mint (of which an assay office forms a part), should the necessity arise for such an establishment in this colony, I made it my care to study (kindly permitted by their officers so to do) the American institutions of the same class, both in New York and San Francisco, at which places I was unavoidably detained some weeks on my journey from England.

And not alone the modes of working these institutions, and the differences between their arrangements and those of the Royal Mint, but I made the effect of their operation upon the condition of the people, likewise, the subject of careful inquiry; for alike in so many respects, as are the circumstances attending the infancy of this colony, to the first conditions of California, that from the errors of our neighbours as well as from their successful measures a wholesome lesson seems derivable and an index obtainable of the advantage or otherwise of establishing certain institutions similar to those existing in the adjacent gold state.

It was with deep interest, therefore, and an anxious desire to arrive at a sound conclusion, that I sought information from various classes of persons in San Francisco, including many who had returned from prosperous and non-prosperous operations on the Fraser River.

Not, however, until by personal inquiry amongst the mining population remaining on the Fraser (persecuted in the month of January last), and amongst the miners *in transitu* to our gold fields since that time, as to the feelings of that important class, nor (in consequence of the discouraging accounts at the beginning of this year) until the yield of gold seemed to warrant me in addressing his Excellency the Governor without danger of error, have I felt myself justified in stating, as I now do, in confident terms, my opinions that those branches of a mint comprised under the heads of a smelting house and assay departments should be established in Queenborough with the least possible delay; not merely as being certain to prove directly beneficial to the public revenue and to the community at large, but for the broader purpose of developing the wealth and advancing the general prosperity of this colony.

In California I became convinced of the following points:—

1st. That the establishment of an assay office has *greatly tended to retain population in the state.*

2nd. That the public, although not hitherto perfectly satisfied with the arrangement of the San Francisco Government Mint, yet placed more confidence in the smelting and assay departments of that institution than in the smelts or assays made by private practitioners. By those familiar with the confidence justly reposed in the private assay houses of London this assertion might be reasonably doubted, were it not explained that in a new country so few are the established firms, and so numerous the ignorant and questionable characters who embark in all kinds of professions, trades, and callings, with or without the slightest knowledge of the subject or guarantee for integrity, that general distrust is engendered against the whole.

3rd. That, therefore, nine-tenths of the gold of California is smelted and assayed at the San Francisco Government Mint; one moiety of the remainder seeming to find its way to the Government Assay Office in New York.

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COLUMBIA.

4th. That nearly, if not quite, the whole of the British Columbian gold has been smelted and assayed at the San Francisco Government Mint.

5th. That by a trifling charge per weight the smelting and assaying departments are made self-supporting.

6th. That the mining population of British Columbia, unable to obtain proper value for their gold in British Columbia, did, in large numbers, return to San Francisco solely for the purpose of having it assayed there; and that the colony of British Columbia not only lost the fruits of these miners' labour (for once in San Francisco, the miner scarcely ever returned until his earnings were exhausted), but lost the benefit of these men's time and industry during their absence.

To this, with the fact of there having been no port of entry in British Columbia, nor any guarantee for agricultural settlement, may be ascribed the depopulated state of British Columbia when I arrived in the colony, a condition but little mended by the scanty re-immigration which has yet taken place, the evils adverted to being still in existence.

With the belief, however, that Queenborough will be shortly open to commerce, with a hope that arable land will be placed within the powers of desiring purchasers, and that roads to the mines may receive early attention, and with evidence of auriferous wealth, indisputable since the receipt of gold for the last quarter, there seems to exist but one opinion that the first steps towards the formation of a mint at Queenborough will materially tend to aid every other measure of Government, to strengthen commerce, and to check the nomadic habits of the miner.

By the admirable express arrangements of the transit houses, the gold will follow one known channel,—trade compels this,—and that channel will be to, as it is already by, the declared capital of British Columbia. At the capital, therefore, as in most countries, there should the mint be established, and not on Vancouver's Island, as proposed by the House of Assembly of Vancouver's Island, and, in all respect I venture to think, inadvertently acquiesced in by his Excellency the Governor of the two colonies.

The very best intentions of so costly an establishment would be frustrated by taking the gold, for coinage, 100 miles across the sea, away to a colony not itself gold producing, nor likely to be other than of secondary magnitude as compared with British Columbia, to be again returned with the charge of double freight and double insurance to the producers of the metal.

The very eagerness of the Vancouver House of Assembly to grasp at a mint is evidence of this; the House doubtless felt that a mint in Victoria would tend to draw population and trade away from British Columbia, and to raise their town into the position of a capital to British Columbia, to their own advantage, but to the detriment of their sister colony, of which I venture to count myself one humble guardian.

Not only, in my humble opinion, does it appear imprudent for the Government of Vancouver's Island, especially in the present state of its finances, and without any immediate prospect of increased resources, to contemplate the establishment of a mint for the purpose of coining the metal derived from the heart of a neighbouring colony, but I should even deem it unadvisable for British Columbia to come to too hasty a resolution on a matter involving, as proved by the cost of the Sydney Mint, 60,000*l.* to 80,000*l.*

For although the want of coin, and especially of British coin, at the present moment must be a matter of serious disquietude to his Excellency, yet, on arrival of the bank, expected daily, this grievance will be lessened by the circulation of notes; and, could the Home Government be induced to send out (not as a loan, but to be repaid in bullion), of,—

Sovereigns	-	-	-	-	-	£60,000
Half do.	-	-	-	-	-	20,500
Florins	-	-	-	-	-	11,000
Shillings	-	-	-	-	-	5,000
Pence	-	-	-	-	-	2,500
Half do.	-	-	-	-	-	1,000
Total	-	-	-	-	-	<u>£100,000</u>

the grievance would, in my opinion, be removed for a considerable time to come.

That under any circumstances of prosperity two mints should be formed, I presume no one would contend; one has been found ample for the whole of the Australian Colonies, Van Diemen's Land, and the New Zealand. In that colony, therefore, firstly, yielding the precious metal; secondly, possessing even now, depopulated as it may be considered, the larger population, and promising a proportion immensely greater, wherefore greater means, greater revenue, and all those many other conditions which would alone justify Her Majesty's Government in assenting to the introduction of so important a department; and in that colony alone should it, in my humble judgment, be understood, that when the necessity arises, there, and not in Vancouver's Island, will a mint be formed.

That it would be premature even in British Columbia to establish an entire mint, I have stated, but that the time has now arrived for introducing a portion of such an establishment there I have likewise premised, and now recommend immediate action.

I shall therefore propose that I be permitted to communicate with the Commissioner of Lands and Works, in order that suitable smelting and assay buildings may be prepared by the time the subordinate officers for these branches may arrive from England; and further, that these gentlemen, three in number, with two assistants, and all the smelting and assaying implements, should be sent out by way of Panama.

Should further assistants be required, I have no doubt of obtaining suitable men in the colony for instruction in the manipulations, whereby in three months after the arrival of the party from England

I would guarantee to be in a position to meet the emergency of great pressure or illness amongst my staff.

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But for the express purpose of engendering confidence in the department at the outset, I look upon the procuring of assistants in the first instance direct from the mother country as of the utmost importance. Assayers might be obtained from California, but for the very reasons adverted to in a former part of this report, such men would not invest the department with that thorough reliability which it is absolutely essential that it should at once command, not only that it may succeed, but for the credit of the Government in so delicate a matter as the adjudicating the quality of the precious metal.

The expense of such an arrangement will probably be, for the first and second year :—

	1st Year.	2nd Year.
1 Assaying officer - - -	- £400	£450
1 Smelting officer - - -	- 400	450
2 Assistants - - -	- 500	600
1 Accountant clerk - - -	- 300	350
Implements - - -	- 1,500	100
Transit of party and stores - - -	- 500	--
Buildings - - -	- 500	--
	<u>£4,100</u>	<u>£1,950</u>

Properly conducted, I should have little doubt of making such a department self-supporting after the first year.

As the Master of the Royal Mint, with whom I was placed in communication by the Lords Commissioners of the Treasury, will doubtless be called upon for report and assistance in this matter, I purpose doing myself the honour of transmitting him a copy of this report, and addressing him on the subject of those many details, which would but encumber this letter, and will be perhaps better arranged, being purely professional, by direct correspondence between us as professional men.

In conclusion, having referred to the expense of the Sydney Mint, without committing myself to any opinion that experience and improvements in the manufacture of machinery since 1851 might not enable a similar department to be outfitted at a somewhat less cost than 60,000*l.* to 80,000*l.*, yet I should certainly deprecate any attempt to establish, in any of Her Majesty's colonies, a department of so important a class on any other than the most perfect footing. The coinage of Her Majesty's realm should ever stand pre-eminent amongst nations; its sterling qualities, value, and workmanship should never be sacrificed at the shrine of economy or present convenience.

With regard to the adoption of the currency of the United States, I do not perceive the necessity for hastily declaring in favour of a foreign metier; nor, in my own opinion, is there any ground for departing from Her Majesty's initial coin, the British sovereign, possibly substituting for the existing a decimal arrangement proceeding therefrom; of which already there has been issued (I believe as a tentative coin) the much-esteemed florin, the tenth of which might be termed a groat, reviving an old English name of somewhat the same value, with one-tenth again, as a mil or mille; such a decimal arrangement being that which (I believe) would have been recommended by the Commission of Inquiry into the subject, but for the one argument, advanced by dealers who received and disbursed farthings in thousands per diem, viz., that the poor of Great Britain would suffer by the alteration of the farthing, or $\frac{1}{4}$ of a pound to the $\frac{1}{100}$, an argument which would have no weight here, where poverty is unknown, and where the habits of the people and their prosperity induce a positive disregard of fractions under a 5 cent (or about $2\frac{1}{2}$ d.) piece.

It seems proper, before closing this report, that I should draw his Excellency's attention to your letter of the 8th of this month, requesting my opinion on the address of the House of Assembly of Vancouver's Island, praying that the Governor of Vancouver's Island would "urge upon the Home Government the desirability of establishing a mint" in their colony, to which letter this report, commenced as soon after the termination of last quarter as I was able to procure from the various dealers accurate statistics of the gold yield, and enlarged to meet his Excellency's desire for my opinion, is intended as a reply.

If in stating my views, when in opposition to those entertained by his Excellency, I have been led into any observations that may seem objectionable, I must beg to be excused, for the sake of the gravity of the questions proposed, believing that a right conclusion will be better drawn by those who will decide from the consideration of frank and honest statements, than representations enfeebled by a weak desire to avoid points of the greatest moment which may be at variance with the Governor's sentiments.

Having been requested by Sir Edward Lytton to place him in possession of my opinions on the subject of a mint in British Columbia, so soon as I could give a reliable report through the proper channel, I have the honour to request that his Excellency the Governor may be pleased to forward the accompanying copy of this communication to the Colonial Office.

The Acting Colonial Secretary,
&c. &c. &c.

I have, &c.
(Signed) W. DRISCOLL GOSSET,
Treasurer.

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COLUMBIA.

No. 13.

No. 13.

COPY of DESPATCH from Governor DOUGLAS, C.B., to the Right Hon.
Sir E. B. LYTTON, Bart., M P.

Government House, Victoria, Vancouver's Island,

June 6, 1859.

(Received July 25, 1859.)

SIR,

THE sale of building lots at the new town of Queensborough took place on the 1st and 2nd of the present month at Victoria.

2. The result has proved most satisfactory as a financial operation, and indicates a general confidence in the future of the colony.

3. The actual amount of sales was rather over 89,000 dollars, on which a deposit of 25 per cent. was made on the purchase, the remaining balance to be paid in three equal instalments on the 1st day of July, August, and September next respectively.

4. 318 lots were offered for sale, and 310 were sold. 110 lots are reserved for future sale. The largest sum realized for a single lot was 1,925 dollars, and the average price of the lots sold was nearly 290 dollars.

5. The accompanying statement from the Department of Lands and Works is transmitted for your information. It distinguishes the actual sums of money received and due on the sale from the amounts already paid on Langley titles, which were transferred to Queensborough under the provisions of the Proclamation of 14th February last. It is not impossible that this concession led in some manner to the high prices obtained for the Queensborough lots.

The Right Hon. Sir E. B. Lytton, Bart., M.P.
 &c. &c. &c.

I have, &c.
 (Signed) JAMES DOUGLAS,
 Governor.

Enclosure in No. 13.

BRITISH COLUMBIA.

Sale of Queensborough Town Lots.

Actual amount of sales	-	-	-	-	-	-	-	\$89,170
Amount of instalments received in cash	-	-	-	-	-	-	-	11,363 ^{LE}
Ditto receivable in cash	-	-	-	-	-	-	-	50,863 ^{DE}
								<u>\$62,227</u>
Amount received in Langley titles	-	-	-	-	-	-	-	11,192
Ditto receivable ditto	-	-	-	-	-	-	-	15,751
								(<u>\$89,170</u>)

(Signed) ROBT. BURNABY,
pro the Chief Commissioner of Lands and Works, British Columbia.

No. 14.

No. 14.

COPY of DESPATCH from Governor DOUGLAS, C.B., to the Right Hon.
Sir E. B. LYTTON, Bart., M.P.

Government House, Victoria, Vancouver's Island,

June 8, 1859.

(Received July 25, 1859.)

(Answered No. 16, September 5, 1859, page 101.)

SIR,

SINCE my last report a number of miners, originally from California, have returned to Victoria from the Upper Fraser River. Many of these men have amassed large sums in gold; the majority of them have not, however, been so fortunate.

2. They assign various reasons for leaving the country ; some the high price of provi-

sions; others a desire to see their friends, and to spend a few months comfortably in California; others the irregularity and shallowness of the diggings in the Upper Fraser district; all, however, admit that any industrious man can at any time make from four to five dollars a day, but owing to the high price of provisions that sum will scarcely maintain the miner in that part of the country.

3. The cost of transport from Victoria to Lytton is the real cause of the high price of provisions.

4. The river steamers, however, have lately reduced their fares, and now make a reasonable charge for freight, probably not more than is remunerative. The great impediment to the development of the interior resources of the country now arises from the want of roads. British Columbia can never become great or prosperous without them, and we purpose devoting all our means and energies in improving the Harrison River road into a good waggon road.

5. A body of Royal Engineers and Royal Marines, numbering about 100 men, augmented by 30 civilian labourers, will be detached for that service as soon as Lieutenant Palmer, who is now employed in surveying the road, has completed his report.

6. The successful completion of this great enterprise will open a safe, easy, and comparatively inexpensive route into the interior of British Columbia, and give facilities, at present unknown to the miner and the merchant, for the development of its mineral resources.

7. The people at Port Douglas have expressed their willingness to aid, either by their personal labour or by pecuniary contributions, in this important work; as, however, none of them are wealthy, their contributions will not be great, but their zeal for the progress and prosperity of the country is encouraging to us and very honourable to themselves.

8. Another road is now being opened from Fort Hope to Lytton on the left bank of the Fraser; it follows the valley of the Quiquialla, and from thence strikes Anderson River, which it keeps as far as Quayome, from whence there is a good road to Lytton. This route was discovered and explored by an inhabitant of Fort Hope, and the people with great spirit immediately raised the sum of 2,000 dollars among themselves for the purpose of opening a horse-path, which is made nearly half the distance to Quayome. Lieutenant Lempriere and two men of the Royal Engineers, who were lately sent by Colonel Moody to examine that line of road, will report upon it hereafter, and we propose giving further assistance, if requisite, to promote so useful a work.

9. Our latest advices from Fort Yale report that a number of miners had arrived at that place from the upper country with unfavourable reports of the gold districts; on the other hand, the Commissioner at Lytton reports that the persons who have left that part of the country are a class that can well be spared, being principally gamblers and idlers, who will not steadily follow any avocation. The feeling against the mining licence fee is very general among the miners, and the tax is almost unproductive of revenue.

10. We are now engaged in remodelling the mining laws of British Columbia, so as to approximate them as nearly as circumstances will permit to the mining laws of Australia.

11. We have issued the new Customs Act and the Alien Act, which I will shortly forward to you. A very interesting report from Mr. Begbie, Judge in British Columbia, is herewith forwarded for your information.

¹ Enclosure.

I have, &c.

The Right Hon. Sir E. B. Lytton, Bart., M.P. (Signed) JAMES DOUGLAS,
&c. &c. &c. Governor.

Enclosure 1 in No. 14.

SIR,

Victoria, April 25, 1859.

1. I HAVE to report to you my return from the circuit which I have just held in British Columbia, as far as the Fountains, to which point I followed nearly the course of Fraser River. From thence I returned by the Lilloet route and the Harrison River to Langley.

2. I have already had the honour to report for your information the proceedings at Langley, at Fort Hope, and at Fort Yale.

3. Accompanied by Mr. Nicol the High Sheriff of British Columbia, and by Mr. Bushby the Registrar and Assize Clerk, or who at least acted in these capacities, I left Fort Yale on foot on the

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COLUMBIA.

28th ultimo with an Indian body servant, and seven other Indians carrying our tent, blankets, and provisions for Lytton on the forks of Thompson's River.

Acting on the suggestions of the Chief Commissioner of Lands and Works, Mr. Nicol and myself made a reconnaissance of the entire road travelled over, the result of which I hope shortly to be able to plot out and place in your Excellency's hands.

4. There being a considerable quantity of snow on the ground, we could not follow the mule trail, but kept on the right bank of the Fraser River until two or three miles below Quayome or Boston Bar.

There are one or two restaurants on the road, one at Spuzzen, one at the top of the hill immediately above Yale, one at Quayome, and another about 18 miles from Lytton; but we found it would have been an extreme inconvenience to have been without a tent and without a sufficient supply of provisions for the entire route. It would even be extremely economical to provide at Fort Yale the whole of the necessary stores to carry round the whole way across the portage between Lake Anderson and Lake Lilloet. Provisions we found to be at (to us) unusual prices,—flour, *e.g.*, 20*d.* to 2*s.* per lb. until we arrived at Lake Lilloet.

5. The trail between Fort Yale and Quayome, by which we advanced, was at that time I should think utterly impassable for any animal but a man a goat, or a dog. It might, doubtless, be very much improved. In many places a very painful and dangerous ascent and descent of 20 minutes, in the whole course of which the traveller depends almost as much on his hands as on his feet, brings the path to within a few yards of the projecting precipice through which a few pounds of powder would have made an easy way. But it suggested itself as extremely doubtful whether it would be worth while at present to engage in any improvements on this part of the line until the far easier Lilloet route be rendered practicable, as it might for a considerable extent very readily be for carts.

6. Between Fort Yale and Quayome there did not appear to be any land, except a few spots here and there of a very few acres in extent, capable of cultivation; but the soil was rich and well fitted for roots, and at Spuzzen accordingly the Indians had considerable potato patches; but nothing like an English farm could be established.

7. Above Quayome the trail to Lytton presents no serious obstacles to prevent a cart road being made, except in two places. The country above Quayome very much changes its aspect. There are almost immediately found benches of fertile land, comparatively free from underwood, but tolerably thickly wooded with large trees not more than convenient, however, for farming purposes, which in fences, fuel, and log huts, rapidly consume timber. About half a day's journey below Lytton a considerable enclosure of about 200 acres is made by felled trees, a Frenchman, whose name I did not learn, intending to make a farm there; very many such might be made.

8. There are considerable beds of slate opening on the Fraser River, a couple of miles above Quayome, and these make their appearance two or three times before arriving at Lytton. At the place where I observed the first slate bed there is also apparently a spring highly charged with carbonate of lime, but it does not appear to be abundant, and, as far as I could trace, appeared to flow but from a very little distance above the bank. Leaves and branches of trees were thickly encrusted with a chalky or marly deposit, but were not hardened or petrified. There were also on the beaches of the river, often seen limestone boulders; but I did not observe any *in situ*.

There was a great change in the climate after passing the Quayome River; it was much drier, the springs less frequent, the soil sandier, the undergrowth much less dense, and the spruce, hemlock, Douglas, and cedars which we had carried all the way from the sea all disappeared by degrees, and were replaced by a pine, very similar to the Scotch fir, but with longer spines. The first place where we noticed this tree we named Scotch fir point.

9. Lytton does not appear a well chosen site for any town. It is on the higher of two benches parallel to each other and to the River Fraser, the lower one being the narrowest, both terminating in a very steep descent, as steep as a man can descend without using his hands, to the River Thompson, I should think 300 or 400 feet deep. The upper plateau, on which Lytton is placed, descends by a similar bank of about 100 feet high to the narrow bench, which again descends by a similar precipitous bank upon Fraser River. At the south end of the town there is a very deep gully, which runs a considerable way into the mountains on the east of the river. Up this gully a road might be brought from the Fraser; it is, I think, the easiest way; but it would probably be from 1 mile to 1½ mile in length for carts. There is only one little rill of water to supply the town; it is adequate for the few houses now there, but quite insufficient for a town of any size. Mr. Nicol and myself ascended its course (it is an artificial ditch brought by miners) for about 1½ mile, in order to see whether it was larger at its source, or diminished by percolation, as we had been told that at that distance it was 15 times its bulk below. We found that this was an entire misrepresentation; we fancied indeed, but sometimes entirely changed our opinion, that the stream above contained somewhat more water. We had no means of gauging the rill. It is probably the fact that some water is lost, which by a careful system of waterproof piping might be available for the supply of the town; but at best it would be no more than a tolerably rapid flow in a channel a foot wide and 4 or 5 inches deep, not much more than in a sluice head on a single mining claim. Waterworks might easily be constructed to any extent upon the Thompson River, which runs swiftly, and in a very clear and abundant stream. From the nature of the soil I do not think wells would answer; I recollect that when I was on the spot the soil appeared to be more dried up than it now appears. I believe that the appearance was caused, not by aridity, but by severe cold. It is, however, very dry. There is on the right bank of the Fraser, above the Forks about three-quarters of a mile, a much more eligible site for a town, a plateau communicating with the river at a convenient height, and again with many other plateaus of various sizes and of various heights above it, with abundant water supply in a large brook which runs strongly behind it, and abundance of wood behind, which at Lytton appears to have been rather scanty at the first, and now is all swept off for log houses and fires.

The only objection to this other site is, that it is a short distance above the mouth of Thompson's River, so that travellers up that river would have to go three-quarters of a mile out of their way to visit the town.

10. The shores of Fraser's River were thinly dotted by miners on both sides: the great mass of miners were forcing their way up with provisions in boats; a very few were going up on foot; nearly the same number were returning on foot, alleging the high prices of provisions in the upper country.

They were high enough at Lytton, where we were charged three dollars a head for each meal, consisting mainly of bacon and hearth-made bread.

* * * * *

11. It was a great inconvenience to have no access to any books or plans of the town, which were all locked up. There were a few contested lots, but not many, and I should think the difficulties are not hard to settle.

12. In the view of the extreme dearness and scarcity of fresh vegetables, I authorized one James Tackley to enclose and cultivate a small strip of land, about an acre, near the river Fraser; such authorization to confer no pre-emption right nor any right whatever after Christmas next, and not to be alienable except by consent of the Chief Commissioner. I afterwards viewed and consented to cultivation on the like terms at the following places:—

10 acres, 2 men (Milroy, Scotch), about 10 miles above Lytton.

5 acres, near the point of junction of the Lilloet route with the Fraser to a Lower Canadian.

5 acres, at the upper end of Lake Anderson, to one Berger.

40 acres, being 5 acres each to 8 men, at the half-way house between Lake Anderson and Lilloet.

Gourley, a Scotchman, at the head.

2 or 3 acres to the innkeeper, 10 miles above Port Douglas.

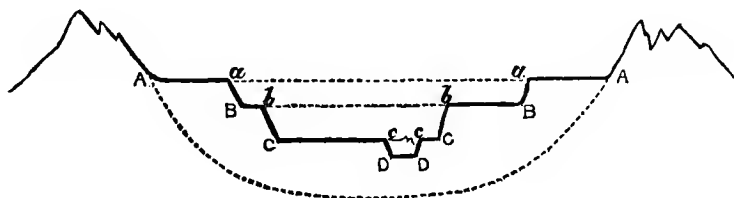
Three other applications, upon which Mr. Nicol will probably have reported to the Chief Commissioner of Lands and Works, were made for larger quantities; viz., Mr. Bryant for 250 acres, near Pemberton; Duncan Robertson for 50 acres or thereabouts, near Port Douglas; and an innkeeper, four miles above Port Douglas, for a similar quantity.

There was a considerable degree of anxiety manifested everywhere for the possession of land; in some instances the mere right to take the crop was not satisfactory, in others it was acquiesced in.

13. At Lytton considerable excitement was manifested with reference to some ditch regulations which were then recently promulgated, and which I had not seen until I found them placarded on Captain Travaillet's office door. The miners generally alleged that the quantity of water allowed to a ditch was too small; that in consequence of the lightness of the soil, the water in a ditch is lost by percolation; and although calculated by the Government to be sufficient for two sluice heads and charged as for two claims, is in fact scarcely enough for one when it reaches the spot worked; and that lumber is so dear and scarce (375 dollars per thousand,—in fact, not to be had in any quantity), that fluming is impossible. The gold they allege to be very uncertain in its deposit; and that small claims may sometimes be worked out in a day, while others may prove extremely valuable. They allege further that it is very convenient to have or to be allowed to have ditches owned by parties entirely unconnected with the claims, who may sell the water in those ditches without limitation as to price or quantity. They did not seem to object to the limitation to sell only to licensed miners.

14. As my own view, on the theory which I formed of the geological formation of the valley of the Fraser in this direction, is, that the whole valley and benches together are auriferous, and would pay under a large system of water working. I did not pay great regard to their complaints as to the uncertain nature of the deposits in the claims; which indeed I had from practical experience an illustration of. Mr. Nichol and myself washed about 20 pans and obtained 75 cents' worth of gold. The next 5 pans taken from the same spot yielded 2 dollars; all in rusty scale gold.

15. The singular feature of level benches of various breadth, consisting of vast thicknesses of alluvial deposits, loam more or less sandy, and water-worn boulders, gravel, and pebbles, the benches being of various heights one above the other, parallel in their general direction with the course of the river and the mountains, between which it runs, and generally matched on either side of the river, forcibly recalls the "parallel mountain roads," as they are called among the Grampians in Scotland: which are now generally accounted for by geologists on the theory of the whole space between the boundary hill ranges having been originally a vast lake, and of successive elevations of the earth's surface; a theory to which the neighbourhood of active volcanic ranges gives much plausibility.



According to this theory, to which Mr. Nicol and myself gave attention in considering the country, and which seemed to explain all the phenomena, and to acquire additional plausibility from the different appearances which we remarked as we proceeded, but a detail of which would be out of place, A A along the dotted line formed at one time the bed of the lake. The earth's surface was locally raised so that

B B stood as high above the level of the sea as *A A* originally stood. The sudden rush of water swept away by denudation all the portion of the original deposit included between *B B a a*. A similar upheaval again occurred, which caused the denudation of the space *b c c b*. A third denuded *c d d c*, and left the water to flow no longer in a lake, but contracted to the limits of a river, in its present bed *D D*. It is probable that when so large a lake existed above the Forks, it would arrest as in a trough, exactly as is done by the miner's sluicing trough at the present day, only on a gigantic scale, all the finer particles of gold brought down by the river from the mountains in the distant upper country. It is probable, therefore, that at the distant geological epoch, when a long lake or a long series of lakes extended for many miles above the Big Canon, as far as I visited the country from about Quayome to some miles above the Fountains, a distance of 80 or 90 miles; the banks and bed of the river below these lakes was not auriferous, at all events not so highly auriferous as at the present day. But on the theory that the sediment at the bottom of these lakes was all more or less auriferous, and that vast quantities of the sediment in successive portions were, upon each successive upheaval of the surface, hurried down by the mighty rush of waters through the Cañons, and into and over the smoother country below them, commencing at Fort Yale, we have again an exact repetition of the process witnessed every day in every rocker throughout the country. An enormous quantity of "pay-dirt" was at each upheaval cast into the vast sluice of the Frazer. The scale gold would be all intercepted in the rough beds of the river as it successively grooved out for itself another and another channel through the ancient bed of the original lake, or at all events in the holes and eddies in the rocks in its passage through the Cañons.

This is the sieve of the rocker, where the scale gold is, unless the rocker be unevenly worked, always retained. The finer particles,—the flour or dust gold as it is called,—would be carried over the sieve by the rush of water on to the blanket, and would principally be retained in the first part of the blanket nearest the sieve. Hill's Bar and Prince Albert's Flat, and the district generally from Fort Yale to Fort Hope, accordingly are all impregnated with flour gold more or less, and generally more so than the country below, or far below Fort Hope. But the whole of the blanket in a rocker is worth searching, and is accordingly searched by the miner periodically; and we find "flour gold" accordingly down to Langley. It is a further corroboration of this theory, that while flour gold does not amount to above 15 per cent. of the gold found at the Forks, 85 per cent. or upwards of the gold found there being scale gold, I have never heard of a single scale being found at or below Fort Yale.

16. If this view be correct, there are therefore in the benches at and around Lytton dry diggings on the most enormous scale. The district I visited from Quayome to the Fountains is about 70 miles long, and from one mile to five or six miles wide; and in many places 100, 200, and 400, in some even 1,000 feet thick. Every spadeful I believe to be auriferous. The bed of the river pays the whole distance from \$5 to \$100 per hand per day; \$12 is not unusual. It is, however, probable that the banks high above the river could not be worked advantageously without the application of copious washing. But the streams from the mountains on each side are very rare, compared with what is found below the Quayome, and water privileges are correspondingly valuable. There is, of course, a never-failing supply in the Fraser; but many of the benches are 600, and even, I should guess, 1,000 feet above its present bed (by estimation), and considerable hydraulic works would have to be undertaken, and by very different ditches, and on different principles from those now in force. It would be a question of engineering on a large scale.

17. The character of the country at Lytton is preserved all the way to the Fountains, and for as far as the eye can reach above Fountains, some four or five miles. The whole of the country is tolerably well adapted for stock. It appears rather too dry a climate for arable cultivation. There is abundance of bunch grass. Water is not everywhere met with on the benches above the river, but the Fraser is always there.

The soil is sometimes covered with shingles, at other times too sandy, but in general a light loam. The pine trees already described appear by their resinous, spiky leaves, which strew the ground in great abundance, to make it much drier than it otherwise would be. These trees would soon be removed for firing, enclosures, and houses, and the country improve accordingly. There is no under-wood.

We procured horses from the Indian chief Spindlem for carrying our blankets, &c. over this portion of the route. In consequence of the dangerous nature of one part of the trail, called the "Slide," a few miles above Foster's Bar, 18 miles from Fountains, the mule trail quits the Fraser at Foster's Bar, and ascends a small stream to an elevated plateau, descending by a beautiful valley to the plateaus above the Fountains.

On the top of the pass we found (7th April) three lakes all frozen. Mr. Nicol and myself got upon one, and found the ice about $4\frac{1}{2}$ inches thick. This plateau, however, wherever the snow was cleared away, showed an uncommonly rich vegetation in grass, equal almost to that on the Pitt Meadows—a fine rich black mould—and uncommon advantages (save for its great cold) for dairy farming. It appeared as if an unbounded number of cattle might be maintained in this valley, or rather double valley and pass, the lower parts of which seemed well adapted for the plough.

The pass, which we estimated at about $16\frac{1}{2}$ miles long from Foster's Bar, opens on the two vast level plains, on the lower of which Fountains is situated.

These each of them contain apparently 1,000 to 1,500 acres, with scarcely a tree or deviation from level, covered only with bunch grass, and terminated on all sides, except towards the mountains, by precipitous descents towards the river, each of which we conjectured to be not less than 500 feet, so that the upper plateau might be 1,000 feet above the level of the river.

From hence Fraser's river is seen coming down in a succession of beds in a narrow bed, edged with high narrow benches from the north-west, closely confined by lofty mountains, from 4,000 to 7,000 feet high.

18. On the southern part of the lower plateau are a few houses, stores, and tents.

This is the Fountains. We had fresh meat here, the first since leaving Fort Yale. We found that Captain Travaillet, who had promised to meet us here, had left on the previous day, leaving word that he would wait for us at the point where the Lilloet trail falls on the Fraser River. There were notifications of the new ditch orders; and that one Mr. Kelley, who kept store there, was appointed to receive payment of mining licences and other Government monies. The price of provisions was higher, if anything, here than at Lytton. The place seemed very dull. There were a few miners passing up and down. Some settlers seemed disposed to build, but the majority of those persons I saw wore an idle look; the bulk of the miners pass along the river far below, and, being supplied with their own provisions, they do not climb the high steep bank, at the top of which there is nothing to reward their pains, for the stores are of the commonest sort, and there are no drinkable liquors, nor, so far as I could see, any facilities for gambling. The spot is probably the best in the immediate neighbourhood for a town.

19. We left the Fountains the same afternoon for the place called Lilloet in this neighbourhood, *i. e.*, the spot where the Lilloet route falls on the Fraser, and which I shall designate by the name Cayoosh. The river which drains the lakes Anderson and Seton, and falls into the Fraser at this point, is called "Nkoomptch Falls." But two miles above the Fraser it receives a considerable accession in the Cayoosh brook, which, being easier pronounced, is preferable, and is used in the locality among the whites to designate the Nkoomptch proper. The trail, which is in general on a bench, with interruptions in some places, but which might easily be made into a good waggon road, passes in front of the mouth of the Seclatqua or Bridge River, at two miles; and, at four miles below Fountains, crosses by the ferry recently granted by Captain Travaillet to Aimable Bonnet and Calmel. The tolls are perhaps not too high for the present rates of wages and provisions. The right is only granted for a year; and at the end of that time, or of a second year, they might probably be revised. The ferrymen were about to establish immediately a boat for foot passengers opposite Cayoosh, as it was found that many people crossed there. I saw a good deal of them during several days; they seem civil and well-conducted men.

20. Cayoosh is decidedly the most favourable position for a town that I have seen above Fort Hope, apart from its important position at the gorge of the Lilloet route. It is on the right bank of the River Fraser, at some distance from the river, and at a considerable height above it. The level benches on each side of the river, and which are all perfectly free from underwood, extend from above Fountains to a considerable distance below Cayoosh on the left bank, and terminate a little below the junction on the right bank of the Fraser, a distance of at least 11 or 12 miles in length, and of a breadth in the whole varying from one to four miles. There are probably some 20 or 30 square miles of land ready for immediate occupation, the whole of which is fit for some description of farming, and about half of it admirably adapted for any description, either sheep, cattle, or the plough. In some places it is too sandy, in others too strong for the plough, but in these places there is an abundance of bunch grass, well adapted for stock of any sort. The soil is uniformly a red loam, in some places of exceeding richness and friability, degenerating in some parts into sand, in others covered thickly with large water-worn pebbles.

I have already pointed out to your Excellency a sketch of the particular plateau on which we, Mr. Nicol and myself, thought a town could with most advantage be placed. It is on the right bank of the Fraser, immediately above its confluence with the Cayoosh.

21. Two chiefs, said to be of extensive authority, paid me a visit while at Cayoosh. They complained of the conduct of the citizens of the United States in preventing them from mining, in destroying and carrying away their root crops without compensation, and in laying wholly upon the Indians many depredations on cattle and horses which these Indians informed me were in part at least committed by "Boston men." On the other hand many cases of cattle stealing were alleged by the whites of all nations against the Indians, and stealing indeed of anything which could by possibility be eaten. For even the cattle which Indians stole they did not attempt to sell or make use of otherwise than as food; and it was admitted on all hands that many hundreds of Indians had died of absolute starvation during the winter. The Indians said that the salmon had failed them now for three years together. The whites alleged, what is obvious to everybody, that the Indians are extremely averse to work except under the pressure of immediate hunger; and that they are so improvident as rarely to look beyond the wants of the day, and never to consider the wants of a winter beforehand. If I may venture an opinion, I should think that this is much more true of the savages who have never been brought into contact with civilization, than with those who have had even a little acquaintance with the whites. We found almost everywhere Indians willing to labour hard for wages, and bargaining acutely for wages, and perfectly acquainted with gold dust and the minute weights for measuring one and two dollars with. These circumstances are inconsistent with an utter heedlessness for next day's provisions; for in all cases we had to find these Indians in provisions as well as wages. And the amount of wages for the most abject drudgery to which human labour can be put (*viz.*) carrying burthens, being 8s. per day and provisions pretty uniformly wherever we went, shows of itself a very high average rate of profit as the wages of labour in British Columbia. If this is the average remuneration of the most unskilled labour, what ought skilled labour supported by capital to earn?

It was the uniform practice of storekeepers to entrust these Indians with their goods, generally 100lbs. flour, beans, or pork, and provisions for their own subsistence. Thefts were said to be unknown, and great care taken of their burdens. And these individuals who work I found extremely fleshy and hearty. My impression of the Indian population is that they have far more natural intelligence, honesty, and good manners than the lowest class, say the agricultural and mining population, of any European country I ever visited, England included.

At Cayoosh I tried to cause a grand jury to be summoned to present all these matters formally to me; but there were not twelve British subjects there.

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22. The road from Cayoosh to Lake Seton four to six miles according to the point of departure, is in one part not practicable for mules. They ford the stream accordingly at present. The muleteers propose to bridge the stream before the summer floods set in. They have already bridged it in one place, between Lake Seton and Lake Anderson, at their own expense, \$180. With one exception, there is no bridge on the Lilloet trail comparable to this, and with that one exception (worth perhaps \$80 to \$100), no ten bridges on that trail are together as considerable. This part of the route might be easily made a good carriage road by means of two bridges; one of which, however, on to the bench at Cayoosh, would be a considerable undertaking. The rest of the distance would be a very simple matter indeed; the ground is flat and tolerably clear, the bottom very sound, large coarse gravel affording excellent foundation; and there is on different slides from the cliffs any amount of beautiful naturally broken Macadam of any size. The actual trail, shrinking from crossing the stream, follows generally a narrow, rocky, precipitous winding goat path along the cliff. The mules follow the other trail partly.

23. On Lake Seton there is excellent access to the water: it never freezes. There are here two or three houses used by the boatmen and muleteers. This little settlement, I suggest, may be called Seton-foot. There is a very good whale boat and a scow in bad condition on this lake. The mountains come down on it so steeply for the greater part of its length on both sides, that I should consider a road out of the question. At the upper end there were also a few houses and another boat building, probably launched by this time. It is stated that from the point where the Nkoomptch and the Cayoosh join the valley of the Cayoosh proper leads to another large lake, which leads to a pass, the other side of which descends on Harrison Lake, a distance of three days. This point of junction of the Cayoosh and Nkoomptch is of course below Lake Seton; it would of course be extremely important to discover such a pass, as it would be shorter than the present Lilloet route from the mouth of the Harrison River to the middle Fraser, especially having in view the very bad access to the upper ends of the Lilloet and Harrison Lakes at Pemberton and Douglas. I conceive, however, that a shorter way may be found which will not pass over any part of the Harrison River, and which may proceed by this Cayoosh Lake across some pass yet to be discovered, down upon a very long valley which opens upon Fraser River from the north-west, and falls upon Fraser's River about 15 miles above the Harrison, and which was noticed last January and marked in the reconnaissance then made. There are a few houses at the upper end of Lake Seton, which I suggest might be called Seton Head.

24. From Lake Seton to Lake Anderson about $1\frac{1}{4}$ mile is practicable for a cart. There seems very little fall in the stream which runs from one lake to the other. It might probably be canalized at no great expense. A steamer could then go from the upper end of Lake Anderson to the lower end of Lake Seton without unloading. I calculated the lengths at $13\frac{1}{2}$ to $14\frac{1}{2}$ miles for Lake Seton, and $12\frac{1}{2}$ to 13 miles for Lake Anderson. They are generally reckoned three miles longer each of them; but boatmen usually exaggerate, and I was as careful as I could, and reckoned both by estimation and time. A steamer would be very useful, as we found on all the lakes. On every one we found either a dead calm, or a fresh breeze blowing up or down the lake, sometimes both ways at the different ends, which greatly delays the navigation in the row boats now in use. On two lakes we had favourable winds; on two we were delayed for 24 hours by contrary winds.

25. At the upper end of Lake Anderson there is a pretty little site for a small town. The Lilloet trail properly so called commences here; it is a cartway for some little distance; it might very readily and for a few hundred dollars be made practicable for carts for some miles; indeed, at a very small expense, for the whole distance to Lake Lilloet. It generally follows the old Indian trail, which may be seen here and there swerving to the one side or the other. It only deviates in two places: close to Lake Anderson, and again a few miles before arriving at Lake Lilloet, in both instances apparently to avoid bridging streams which the Indians forded, and which could be bridged, the first for a very few score, the second for a very few hundred dollars. The deviations in each case appeared to be rather for the worse. There are many places in which a slight deviation and the removal of a few barrow loads of earth or of a tree or two would have effected a great improvement, but there the trail was followed.

The other deviation, near Lake Lilloet, leads by a shorter road over a hill to the lake.

The Indian trail proceeds down the watercourse to the river Lilloet, some few miles above the head of the lake, where there are reported to be some five or six square miles of exceedingly rich prairie land. If the road were carried by a bridge across the Homush or Xoblish River, and again across the Lilloet, it would run nearly on a level all the way from Lake Anderson, and would open out this fertile valley, and fall on the Lilloet Lake at a point much better adapted for a harbour than that selected, and which is only approachable within three-quarters of a mile when the lake is flooded. On neither side of the lake, indeed, is there any space for even a goat-path, unless it were hewn away. But on the side actually chosen (the east or left side) there is for miles from the lake no place where three houses could be placed together, the ground is so excessively rocky and irregular, and there is no natural facility for forming a harbour. On the right side of the lake there are two islands, which seem to invite a couple of spars to be laid, which is all that is necessary to form a beautiful harbour; and the country, once escape a couple of hundred yards from the lake, is capable enough of being built on. There is at present a complete monopoly thrown into the hands of the restaurateur in the only building at Pemberton.

26. Lake Lilloet is quite impracticable, I conceive, for a road along its shore. The terminus at the lower end (where there is also a restaurant) is very badly placed, and the people were about to remove it 400 or 500 yards lower down. This lake connects by a twisting rapid stream of about 1,200 yards with the little Lake Lilloet, extending six miles further. This may at some future day be canalized, so as to allow a steamer to run about 21 or 22 miles without unloading. At present the navigation of the upper lake stops above the rapids; and as a good level road may easily be made along the edge of the lake on the left shore, where the ground is flat, well wooded, and not too much underwood, not sub-

ject to overflow—in short, very well adapted for a road—not much use can perhaps at present be made of this lower or smaller lake.

27. For 20 miles further there might easily be a cart road carried down the Lilloet, which it would probably be necessary to bridge twice. Mr. Nicol conjectured that a good bridge might cost \$800 or \$1,000; but this was, of course, an estimate of the loosest description. There are some very curious hot wells about $13\frac{1}{2}$ miles from the lower end of the Lilloet Lake. The water issues from a mass of conglomerate, six or eight feet high, and the same width, partially imbedded in the hill side. From the centre issues the hot spring, large enough to fill a trough of the area of four inches square, probably at a height of about two feet from the bottom of the rock.

On each side, out of the same mass of conglomerate, there issues a spring of cold pure water, of about the same bulk, and all three unite in a small pool, and form one stream, which falls into the Lilloet about 100 yards off. The trees in the neighbourhood are of a singular vigour and beauty; both hemlock, cedar, &c., and also maple and other deciduous trees. The water is extremely soft and agreeable to wash in; it has a slight sulphureous taste, and also is slightly chalybeate. It has a very perceptible odour, but is perfectly clear and colourless. We had no means of testing its temperature accurately, but even after some admixture of the cold springs, it is hotter than the hand can bear. I should say probably 140° F. We gave to it the name of St. Agnes' Well.

28. The last 15 or 20 miles of the trail towards Port Douglas undoubtedly present greater difficulties than all the other part of the Lilloet route; and the worst part is that immediately falling on the Harrison Lake, which at present terminates at Port Douglas.

This situation, though romantic and beautiful, and offering to vessels lying in its little lake a secure harbour during seven or eight months in the year, has such natural defects that nothing but necessity can justify its adoption or retention for a moment. For four or five months in the year, if not for a longer period, it may be said to be inaccessible either by land or water, except on foot.

It is situated at the foot of a hill; the trail ascends for upwards of an hour immediately from high-water mark; and we found the greater part of this hill encumbered with snow to such an extent (18th April), that pack mules could only make 10 miles in two days, and were nearly exhausted with that distance. In summer time the snow will not be there, but the waters will then be out; and it is to be apprehended that some parts of this trail will be less passable in June than in April. The snow, though often four and five feet deep, had begun to melt a good deal during the day, though it generally froze again at night; and the trail was in several places for 100 yards ankle deep in water; indeed, it often appeared as if the trail had been led into and along the dry bed of some watercourse by the persons who undertook to make the trail; a plan which is open to the objection that when the waters are out, and a road is most needed, the road is at its worst. This observation is not to be confined to the portion of the trail next Port Douglas; on the contrary, this part shows more frequent indications of the hand of man than any other portion of the route. At one point, however, it is particularly annoying to find that the trail is conducted up and along some rather unusually broken ground into the very centre and strength of a waterfall of considerable size, far more than sufficient to turn any ordinary mill; and although we were able to scramble round it at a considerable risk of a tumble and ankle deep in water, it is probable that neither mule nor man can pass there in June. Neither mule nor man could have stood on the trail when we were there. The waters were not out when the trail was laid out. And it is of the utmost importance that the whole locality should be carefully surveyed before the floods, and then again when they are at their height.

29. To return. Behind Port Douglas there stands this difficult hill; before it lies a frozen lake for four months in the year, and when it is thawed (it had been quite open for some time when we were there), this little lake, about 2,000 yards long by 250 to 600 wide, communicates with Harrison Lake by a tortuous, shallow, rapid stream, bearing only 12 inches water at its shallowest part (19th April). There is some flat land at the mouth, on both sides, but on the right bank liable to overflow; on the left dry; but both are liable to be frozen up, by an unimportant bar of ice, however, compared with that which obstructs Port Douglas.

It is always referred to by storekeepers and carriers as the very worst and most difficult part of the whole trail to effect a transit over the frozen inner lake. A road might easily be constructed of a mile and a half in length along the left shore of this lake to the flat in question, which, however, will never be a good site. Better, however, than the present, which, if even the narrow channel and hill be disregarded or improved, has an irremovable objection in its ice, which this plan would avoid. An application for the purchase of all this flat has been made by a man named Duncan Robertson. There has been no measurement; it may be only 20 acres, but I should think nearer 50. It is densely wooded; so is all the valley behind Port Douglas.

30. On the right bank of the Lilloet a large flat is formed, analogous to the delta at the mouth of many rivers, at present bearing a most magnificent growth of timber, principally cedar and hemlock. The soil is alluvial and decayed vegetable matter, forming a rich red mould.

One or two small streams from the mountains north-west of the Harrison Lake fall through it. It is possible that a town might be raised here. In many respects it would have great advantages. It would have an open port all winter, and a level road up the valley of the Lilloet. Whether it could be carried up that valley for four miles (where we quitted the stream), or even higher, by crossing and recrossing the stream, Mr. Nicol will probably report. We conceived that it would do for the site of a town when cleared, but the clearing would be very expensive; floods would probably, at all events, occasionally overflow the greater part of the level; and the bridging difficulties might be serious.

The Lilloet here is very violent, as is shown by the enormous bulk and quantity of drift wood with which the upper end of Harrison Lake is strewn, and which far surpass anything I have ever seen. We attempted to ascend it in hopes of arriving at some level ground which we had been assured exists at a distance of three miles from the lake, and accessible for navigation; but although the river is navigable

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or canoes, we satisfied ourselves that steam navigation was impossible. There is a fall of 15 feet in the 250 yards immediately above the lake, and a tortuous channel besides.

31. Bad as any harbour must be at this end of the lake, this side (the extreme right of the river mouth) offers the best position, and, with the aid of the drift wood, a floating breakwater might be made. The only winds which are ever felt, apparently blow up and down the lake, and we found on our passage that the winds follow the shores.

32. It was surprising, with a population so unsettled, so often a great part of it at least changing, and so little habituated to the presence of law or justice, to find very few complaints; none of violent crimes.

It was alleged that liquor was sold unscrupulously to Indians. Some cases of alleged breach of contract, which the defendants maintained to be mistaken contracts, were brought forward; and it was also given us to understand that those who brought such circumstances to our notice were amongst the most audacious infringers of the law when the officers of the law were absent. It is, of course, impossible ever to do sudden justice under any written system of laws, and our efforts were not always successful in endeavouring to obtain in any way immediate satisfaction. But in a political point of view these individual mischiefs were lost sight of, when it appeared that there was on all sides a submission to authority, a recognition of the right, which looking to the mixed nature of the population and the very large predominance of the Californian element, I confess I had not expected to meet. On the banks of the Lilloet there are very remunerative diggings, which I mention (though well known already) in order to make the remark that the gold in British Columbia is not all brought down by the Fraser, nor is the source of the gold confined to one region only in the canoe country or elsewhere. The upper Lilloet valley is separated from the Fraser by mountains in such a way as to exclude the idea that its course is through the primeval bed of some lake into which the ancient Fraser emptied all these treasures; or if not the result would be the same, since the lake must have included half the colony at least.

The landing and embarking at Port Douglas appears to be extremely inconvenient. A great part of the town apparently will in June be standing in the water, and so far it will be convenient that barges should come alongside of the stores; but goods will have to be moved in boats. And I should think it must be very unhealthy. It is by far the most active, stirring looking place we saw, nearly as large as Fort Yale.

33. The shores of Lake Harrison are in general steep to the water, and inaccessible for roads. There are some important breaks on the left shore leading, as is believed, to the Cayoosh Lake. Another near the foot is reported by the Indians to lead in three days to the forks of Thompson's River. But the rapids between the lake and Fraser River offer a very serious obstacle to the navigation here, and it may be that a short portage across from Fraser River into Harrison Lake may be found advisable, from a point above the mouth of Harrison River into the lake near the hot spring, which we did not visit, but named St. Alice's Well.

The distance from the lake to Fraser River I estimated at $11\frac{1}{2}$ or 12 miles. The greater part of this is navigable for vessels of considerable draught. There is a shoal all along the exit from the lake, bearing five to six feet in its shallowest part. About half way down to the Fraser a considerable river comes in on the right bank, flowing from the reverse of the mountains or rather hills which lie west of Harrison Lake. This seems to change the nature of the current; however, from whatever cause, I never saw a river bed present a similar appearance. The shores being flat and liable to overflow, the river proper occupies a bed of some mile or mile and a half in width, extremely irregular in depth, gravelly, sometimes nine feet deep, and at a boat's length down the stream not nine inches. The boatmen allege that this is caused by the salmon digging with their snouts. Giving the greatest credit to the fish and fishers for their industry and love of the marvellous, I thought it much more nearly resembled the effect of the "ripple-mark" observed in sands at low tide, and also in dry sands exposed to steady winds. But I never saw the appearance on such an enormous scale; in the summer, when the waters are high, stern wheelers can pass. But it must take a vast increase in the body of the water, and equivalent to a great many inches rise in the Fraser itself, to raise the surface of this part of Harrison River by a single inch, being very rapid and of the breadth I have mentioned.

The remainder of my route is so well known to your Excellency, that I shall gladly bring this extremely lengthy communication to a close.

34. The chief points which struck me, to make a brief re-capitulation, were:—

1st. The ready submission of a foreign population to the declaration of the will of the executive, when expressed clearly and discreetly, however contrary to their wishes.

2ndly. The great preponderance of the California or Californized element of the population, and the paucity of British subjects.

3rdly. The great riches, both auriferous and agricultural, of the country.

4thly. The great want of some fixity of tenure for agricultural purposes.

And 5thly. The absence of all means of communication, except by foaming torrents in canoes or over goat tracks on foot, which renders all productions of the country, except such as, like gold, can be carried with great ease in small weight and compass, practically valueless.

His Excellency Governor Douglas, C.B.
&c. &c. &c.

I have, &c.
(Signed) MATT. B. BEGBIE.

DISTANCES.

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	Miles.	Days' Journey.	
Fort Yale to—			
Spuzzem - - - - -	—	1	Much snow; regained the river after 4 miles.
Quayome (Boston Bar) - - - - -	—	1½	
Lytton (Fort Dallas) Thompson Forks - - - - -	—	2½	
Foster's Bar - - - - -	—	1½	
Fountains - - - - -	—	1	
Cayoosh - - - - -	—	½	This is half a day including the starting, unloading, &c., and ferry. It is a perfectly clear meadow.
Seton Foot - - - - -	—	—	
Seton Head :—Length of Lake Seton to Lake Anderson- - - - -	1¼	—	The boatmen say 18 miles.
Anderson :—Length of Lake Anderson - - - - -	—	—	The boatmen say 16 miles.
Pemberton (on Lake Lilloet) - - - - -	24¼	2	There is a good half-way house.
Lake Lilloet :—Length of Upper Lake - - - - -	—	—	
Hot springs, including Lower Lake, 6 miles long - - - - -	13½	1	
Port Douglas - - - - -	21	2	Another extra day for mules. Four days from Lake Lilloet to Port Douglas.
Lower end Harrison Lake - - - - -	—	—	
Harrison River (from Lake to Fraser) - - - - -	12	{ 14½ hrs.	From Port Douglas. Fore winds and down stream.

On foot the whole way, except on the lakes and below Harrison Lake. The distances are estimated partly by adding the different distances guessed at as we came along the trail; some by time and estimated rate of speed. We generally walked 7 or 8 hours besides stoppages, sometimes 10 hours.

No. 15.

No. 15.

COPY of DESPATCH from Gôvernôr DOUGLAS, C.B., to the Right Hon.
Sir E. B. LYTTON, Bart., M.P.

Government House, Victoria, Vancouver's Island,
July 1, 1859.

(Received August 26, 1859.)

SIR, I HAVE duly received your Despatch No. 32,* of the 15th March, in reference to the admission of barristers and attorneys to the Court of British Columbia.

2. The liberal measure of allowing foreign counsel to practise in the Court of British Columbia has been attended fortunately by no evil effects, no foreigners having either practised in the Court or otherwise derived any advantage whatever from the concession, one cause for which may be assigned to the fact that the country has enjoyed a singular degree of quiet, and almost an exemption from troublesome litigation.

3. The privilege granted by the order of Court in favour of attorneys and solicitors of the Supreme Court of the United States expired yesterday, and will not be renewed, as numbers of English lawyers have arrived, who purpose residing here permanently and practising both in the Courts of British Columbia and Vancouver's Island.

I have, &c.

The Right Hon. Sir E. B. Lytton, Bart., M.P. (Signed) JAMES DOUGLAS,
&c. &c. &c. Governor.

* Vide papers
presented
August 1859,
page 81.

BRITISH
COLUMBIA.

No. 16.

No. 16.

COPY of DESPATCH from Governor DOUGLAS, C.B., to the Right Hon.
Sir E. B. LYTTON, Bart., M.P.

(No. 182.)

Victoria, Vancouver's Island, July 2, 1859.

(Received August 26, 1859.)

(Answered, No. 24, September 23, 1859, page 102.)

SIR,

* Vide papers
presented
August 1859,
page 82.

I HAVE had the honour of receiving your Despatch No. 48,* of the 11th April last, having reference to the disturbances which occurred in January last at Fort Yale, and forwarding for my information the copy of a letter from Lord Naas, with an inclosure from the Chief Inspector of the Constabulary in Ireland relative to the request made for a body of the Irish Constabulary to be sent to British Columbia, and representing the necessity for further information upon various points of detail mentioned.

1 Enclosure.

2. I have given immediate attention to that matter, and have the honour to forward herewith a statement which will supply the information required.

3. With reference to your remarks respecting the inability of Her Majesty's Government to undertake the expense, partially or otherwise, which the proposed police force would entail, I have only to observe that in such case it will be advisable not to send out the force, as it is impossible to raise money in the colony at present to meet the expenditure that would thereby be incurred; and, moreover, the military force now in British Columbia and the gradual accession of a British population render the step every day less a measure of necessary safety.

4. The population of British Columbia would, as you correctly surmise, zealously come forward if required for their own protection; but it has always appeared to me a most dangerous policy to put the sword into the hands of aliens who have no love for British institutions, and who might turn it against the Government whenever it suited their purpose. The geographical position of British Columbia must be remembered, and it also must not be forgotten that until lately British subjects formed but a small portion of the multitudes that poured into the country; and although I firmly believe that among the thousands of persons who have since departed from the colony scarcely one British subject could be found, still even in the population that remain the proportion of British subjects is far from being in the ascendant. The difficulties attendant upon the employment of a volunteer force upon occasions of emergency are consequently great; but, apart from other considerations, there is one very grave objection which particularly presents itself. In a gold-producing country men cannot and will not render their services to the Government gratuitously, and the amount of recompence they expect is exorbitant. Upon the occasion of the disturbances at Fort Yale certain volunteers were employed by Colonel Moody. These men cheerfully and most zealously afforded their services, so much so, indeed, as to call forth a warm letter of commendation from Colonel Moody; but they demanded 5 dollars a day for their services and as compensation for their loss of time, and under the circumstances I was compelled to meet the demand. I am strongly inclined to believe that, as a measure of wise policy and of sound economy, it is beyond doubt advisable to employ none but British subjects in protecting British territory.

5. I have read with due attention your remarks respecting the provision to be made for the repayment by the colony of the advances made from the mother country for the equipment and conveyance to British Columbia of Colonel Moody's party of Royal Engineers. The colony is most anxious to acquit herself of every obligation conferred upon her, and she is quite capable of meeting all her civil expenditure in a befitting and proper manner, but the cost of the maintenance of the military force, with the heavy charge for colonial pay, is at present more than her finances can bear. The development of the country has been stayed for want of funds, and the amount of revenue has in consequence fallen far short of my expectations. I cannot refrain from remarking, however, that the expense of sending the Royal Engineers to British Columbia is a charge than can scarcely with perfect justness be assigned to the colony, seeing that after all the object in view was one purely of an Imperial character. But be that as it may, Her Majesty's Government must be lenient and kind, and must, until the colony is in a condition to discharge her liabilities, look for repayment in the acquisition of a magnificent domain, which will give an expansion to British trade and influence in this part of the world that now can be sufficiently appreciated, and which was unattainable by other means.

I have, &c.

The Right Hon. Sir E. B. Lytton, Bart., M.P.
&c. &c. &c.(Signed) JAMES DOUGLAS,
Governor.

Enclosure in No. 16.

ANSWERS to the QUESTIONS proposed by the Inspector General of the Irish Constabulary, dated March 15, 1859, and forwarded in Lord Naas letter of the 21st March, relative to sending out part of that force to British Columbia. Encl. in No. 16.

1. What number of men of each rank, Head Constables, Constables, and Sub-Constables, would be required?

None of the superior ranks would be required, as there are in the Colony many applicants for employment of such capacity, officers who have served in the army, &c. The following establishment is proposed, of which the constables and the sub-constables only need be sent out:—

- 2 Sub-Inspectors.
- 6 Head Constables.
- 25 Constables Serjeant.
- 117 Sub-Constables or Privates.

2. Would the men be required to engage for a particular period of service, for an unlimited period, or upon what other conditions in that respect?

For six years.

3. Upon what conditions would they be engaged in regard to retiring allowance or pension, and would past service in the Constabulary at home be recognized and allowed for?

No retiring allowance or pension could be accorded by the Colony, but a free grant of six acres

of land after six years' faithful service in the Colony would be made to them by the Colony.

4. Would married men, or what portion of them, be accepted?

Married men would be preferred.

5. Any limit as to age?

From 21 to 35 years of age.

6. Presuming that the men themselves would have a free passage, would this provision extend to wives or to families in the case of married men, should such be accepted?

It would be desirable that a free passage should be given to the wives and families of the men.

7. Relative to pay.

The following is the rate of pay proposed:—

Head Constables or Serjeant Major, ten shillings per diem.

Constable or Serjeant, nine shillings per diem.

Sub-Constable or Private, eight shillings per diem.

They would be required to feed themselves, but would be provided with lodging, and one suit of clothing annually.

JAMES DOUGLAS.

No. 17.

No. 17.

COPY of DESPATCH from Governor DOUGLAS, C.B., to the Right Hon.
Sir E. B. LYTON, Bart., M.P.

(No. 183.)

Victoria, Vancouver's Island, July 2, 1859.

(Received August 26, 1859.)

SIR,

I HAVE duly received your Despatch of the 12th April last, No. 50,* in reply to my proposal to purchase or build a steam vessel intended for the transport of troops and Government stores in Fraser's River, and as a means of restraining the refractory and of enforcing law and order among the population of the mining districts.

* Vide papers
presented
August 1859,
page 85.

2. I observe that Her Majesty's Government, without doubting the judiciousness of the plan for local interests, decline giving it their countenance or support. I rejoice, therefore, that circumstances subsequent to the date of my Despatch induced me to defer the execution of the project until I received your reply. I will now abandon it altogether, or until such time as the colony may be in a condition to defray the cost from her own resources.

3. You again call my attention to the circumstance of the liability to the mother country which the infant colony of British Columbia has incurred in the earliest step taken by the Home Government for her establishment and protection. Her Majesty's Government may rest assured that, when the colony can do so, the obligation will be faithfully repaid. She can only attain to that condition when her resources are more fully developed, and it is undeniable that her development has been retarded, and my hands have been tied through the want of funds to undertake and carry out important and indispensable public works. The assistance of a Parliamentary grant would have enabled me months ago to have adopted such measures as to settle and retain a large population in the country, and to hold out inducements to British subjects to flock to this desirable land. Upon the first intimation of the discoveries of gold thousands poured into the country, and spread abroad throughout its length and breadth, without a thought, and apparently without a care, as to how a land hitherto wild and uninhabited, except by the native Indian, was to provide them with the means of subsistence. Gold was found,

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COLUMBIA.

and in quantities beyond the usual yield in the neighbouring and older gold districts of California. So long as his scanty stock of provisions lasted, the adventurous miner was content; but when the winter approached, and the rugged mountain passes no longer afforded the means for introducing further supplies, he was exposed to privation and hardships of no ordinary description. Numerous were the departures from the country in consequence, and those leaving did not fail to exaggerate their ills and to spread abroad reports most unfavourable to the country. This might naturally have been expected to some extent, under any circumstances or condition of the country; for, the wildest notions being entertained of the facilities which existed for acquiring instant wealth, disgust and ill-feeling soon followed the non-realization of extravagant expectations; but had the means been at my command, much might have been avoided. I used the most strenuous efforts to facilitate the introduction of supplies, but my resources were limited, and I could only partially open one route, although 15,000*l.* from the revenues of the colony were expended in the object. The difficulties to be overcome in opening out the country of British Columbia are of no ordinary character, and the expense attending all works of labour is enormous; but I do not despair of the benefits resulting in time repaying the outlay. In another Despatch of this date I have mentioned that the colony can and will support in a befitting manner all her civil staff, large as that staff is, in consequence of the extensive nature of the country and the scattered condition of the inhabitants; but the cost of the military establishment is a charge that she cannot at present find the means to meet, for it alone would more than absorb the entire revenue of the colony; and, therefore, for the present, we must earnestly hope that the mother country will be kind and generous, and will not refuse her aid to this her youngest, but not least valuable colony; for the day will undoubtedly come, and may not be far distant, when the possessions of Great Britain in this part of the world will exercise no insignificant or unimportant influence on the fast-spreading interests in the Pacific Ocean of other great nations.

I have, &c.

The Right Hon. Sir E. B. Lytton, Bart., M.P.
&c. &c. &c.(Signed) JAMES DOUGLAS,
Governor.

No. 18.

No. 18.

COPY of DESPATCH from Governor DOUGLAS, C.B., to the Right Hon.
Sir E. B. LYTTON, Bart., M.P.

Government House, Victoria, Vancouver's Island,

July 4, 1859.

(Received August 26, 1859.)

(No. 185.)

SIR,

THE latest intelligence received from Mr. Sanders, the Assistant Gold Commissioner for the district of Fort Yale, is very interesting and of a cheering character.

2. That gentleman in his last report, dated the 28th June, states that accounts from Prince Albert's Flat continue to be favourable, and the miners who have taken up claims there assure him that the Pay Streak yields 5 cents to the pan, which they consider a fair return for their labour; and Mr. Sanders is of opinion that the Flat, which is of great extent, will afford profitable employment to hundreds of miners for years to come.

3. A mining bar, about seven miles above Yale, commonly known as Sailors Bar, which is occupied by a person named Mead and another, who are the sole grantees of two springs yielding sufficient water to supply three sluice meads, are making, according to their own statement, 50 dollars to the man a day. In consequence of the small supply of water on this extensive bar it is unavoidably monopolized by these two men, and will afford them employment at the same rate of remuneration for many years to come.

4. Some Chinese miners have settled on an elevated bank on Fraser's River beyond Spuzzem, and as there is no water on the spot, and their own small means are insufficient to bring in an artificial supply from the neighbouring mountains, they convey the soil for washing in wheelbarrows to the river's edge, a fact which goes far to prove the extreme richness of the deposit.

5. These elevated banks have long been known to be rich, but there being on many of them no natural supply of water, it will require a considerable capital to bring in supplies of that indispensable element.

6. The ditch on Emory's Bar has been moved back, in order to facilitate the working of the bank, which has, however, not proved so productive as expected.

7. The miners on Hill's Bar are sinking shafts in the mountains, in rear of the bar; but when Mr. Sanders last visited the spot, on the 21st June, they had not attained to a sufficient depth to determine the value of the auriferous soil with any degree of positiveness; the miners were, however, quite satisfied from the indications of the beds of earth that their endeavours were likely to prove successful.

8. Mr. Sanders laments the great loss of gold arising from careless working and the want of proper means to retain the "rusty gold," and remarks that one-half at least of the fine gold escapes on the surface of the water used in washing, nor will "rusty gold" amalgamate with quicksilver, and he states, in proof of the superficial, ineffective manner in which the diggings are worked, that an experienced and well-informed ditch-owner assured him that he would have no hesitation in undertaking to work over again those parts of Hill's Bar which are supposed to be exhausted, with a certainty of realizing from 6 dollars to 8 dollars a day for each man employed. Yet, on this bar many miners have taken out of a 25-foot claim as much as 6,000 and 7,000 dollars, exclusive of cost of labour, water, and subsistence.

9. The miners are full of confidence in the resources of the country, and are looking forward to great discoveries in British Columbia. They seem to think that parties should be organized to prospect the interior, and good miners have offered their services for that object, on condition of being furnished with food and rewarded, in the event of success, with grants of mineral land or a quartz-lead claim.

10. Mr. Sanders further reports that the accounts from the upper districts of Fraser's River are most encouraging, rich alluvial diggings having been found in the neighbourhood of Fort Alexandria, and extensive and rich dry diggings near Lytton.

11. Mr. Sanders had also been informed that silver has been discovered to the eastward of Sailors Bar, and he promises to procure and forward specimens next week. It is also reported that quicksilver had been discovered, but the Commissioner thought it not impossible that the discoverer had mistaken red sandstone for "cinnabar," the mineral which contains quicksilver.

12. Mr. Sanders' report contains nothing further of importance.

13. The opening of roads through the mountainous districts of British Columbia into the interior is now the object which has the strongest claim upon our attention. A party of Royal Engineers are now employed in making the road from Fort Hope to Boston Bar, and a detachment of Royal Engineers and Royal Marines, exceeding 100 men, are employed in widening and improving the Harrison Lilloet Road.

14. The transport by that road into the interior is already very great. About 100 pack mules leave Douglas weekly with freight for Bridge River. From returns made up at Douglas it appears that 3,600 tons of provisions have been carried over that road since it was first opened, in the month of November last. The rate of freight by that route rose at one time last winter to 37 cents a pound, a state of things induced by the want of competition and by the severity of the weather, but it is now reduced to 10 cents a pound all through from Douglas to Bridge River, and from this place (Victoria) to Douglas 1½ cents, making the whole expense of freight from this place to Bridge River, a distance of 316 miles of inland transport, 11½ cents a pound, which is reasonable compared with what the charge once was, though still susceptible of reduction.

15. The regular settlement of the country by a class of industrious cultivators is an object of the utmost importance to the colony, which is at present dependent for every necessary of life, even to the food of the people, on importation from abroad.

16. It is thus drained of its wealth, and its progress retarded; evils which must exercise a depressing influence on the country at large until it possesses a fixed population and produce of its own.

17. The mining population are proverbially migratory and unsettled in their habits, seldom engaging in any other than their own absorbing pursuits; and, therefore, it is he who tills the soil—the industrious farmer—who must clear the forest, bring the land into cultivation, and build up the permanent interests and prosperity of the colony.

18. We are for that reason most anxious to encourage the actual settlement of the country, and that the process should commence on the sea coast, and spread from thence, as much as possible, continuously along the course of the great rivers into the interior.

19. There are considerable tracts of level land and some prairie land on Fraser's River. The country on Harrison's River and Lake is less favourable for settlement, the lake, about 35 miles in length, being on all sides bounded to the water's edge by precipitous

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mountains, and not comprising, I believe, throughout its whole extent, 500 acres of land fit for cultivation. The valley of Harrison's River does contain some level land, but the quality of the soil is arid and stony.

20. Nothing, however, can surpass the imposing beauty of the mountain masses and deafening cataracts of those two districts, the admiration of every lover of the sublime and picturesque in scenery.

21. They are, moreover, not without value in other respects, possessing as they eminently do, in boundless extent, pine forests of the largest growth and finest quality, with an almost unlimited amount of water power, readily applicable for propelling machinery at the smallest expense.

22. With the further advantage of a safe water communication to the sea, the inhabitants of those districts will doubtless turn their attention to the export of spars and deals, which can be rafted at little cost to Queensborough, and thence shipped to all parts of the world, a trade that must eventually become a great source of wealth to the country.

23. The geological phenomena observed on the banks of Harrison's River favour the belief that the district is auriferous, and this opinion receives corroboration from the fact that a party of French miners have worked the gravel beds of that river with a marked degree of success, their joint earnings having averaged about 7 dollars a day to the man, and they are now making earnest preparations for renewing the operation as soon as the river abates.

24. The present white population of Douglas is about 150 souls. I was much pleased with their conduct when recently on a visit to that place; they came forward in the most liberal manner, after an address from me on the subject, to tender a subscription of about 300 dollars, and the offer of an assessment of 10 per cent, on the value of their property, in aid of the road to Bridge River. I thanked them for the support thus tendered, and promised to make honourable mention of their act to Her Majesty's Government.

25. A water power sawmill of great capacity, with a planing and grooving machine attached, has been lately erected on one of the mountain streams that sweep through the town of Douglas, and I have no doubt that the enterprise of Mr. McDonald, the spirited proprietor, will meet with a rich reward.

26. Colonel Moody is making great efforts to bring surveying parties rapidly into the field, but the survey of the site of Queensborough, and other necessary work, has led to unavoidable delays, and no country land has as yet been brought into market. There is much popular clamour on that account, and should the pressure for land be great, I think it will be advisable to meet the emergency by establishing some temporary system of occupation, which would enable settlers to hold and improve certain specified tracts of land under a pre-emption right until the surveys are completed, when it might cease to be in force.

27. The declared value of imports into British Columbia for the quarter ending the 30th June amounts to 247,755 dollars 66 cents, and the revenue derived from customs duties for the same period amounts to 4,138*l.* 16*s.*

28. There is some excitement at present about the gold diggings of Queen Charlotte Island, and application has been made to me for aid and protection on the part of the Government.

29. If a party of sufficient strength for self-protection can be united for the purpose of exploring that island, and developing its mineral and auriferous resources (which I believe to be valuable), and thus form the nucleus of a settlement. I will at once enter into communication with the senior naval officer present, requesting him, if possible, to detach one of Her Majesty's ships now here to accompany and give the party such aid and assistance as may be requisite on their first landing, and to remain near them until they can construct works for their protection against the natives, who are numerous and troublesome.

30. I have only further to report the general tranquillity and welfare of the colony. The numbers of the "Victoria Gazette" mentioned on the margin are herewith enclosed.

I have, &c.

The Right Hon. Sir E. B. Lytton, Bart., M.P.

&c.

&c.

&c.

(Signed) JAMES DOUGLAS,
Governor.

June 9 to
July 9.

BRITISH
COLUMBIA.

No. 19.

No. 19.

COPY of DESPATCH from Governor DOUGLAS, C.B., to the Right Hon.
Sir E. B. LYTTON, Bart., M.P.

(No. 189.)

Victoria, Vancouver's Island, July 6, 1859.

(Received August 26, 1859.)

(Answered, No. 15, September 5, 1859, page 100.)

SIR,

I HAVE the honour to forward to you herewith for your approval and confirmation a return of the provisional appointments I have made to offices, which there was an absolute necessity for establishing in British Columbia, between the 1st January and 30th June 1859.

Enclosure.

I have, &c.

The Right Hon. Sir E. B. Lytton, Bart., M.P.
&c. &c. &c.

(Signed) JAMES DOUGLAS,
Governor.

Enclosure in No. 19.

Encl. in No. 19.

A RETURN of Provisional Appointments made by the Governor of British Columbia, between the 1st January and 30th June 1859, and now submitted for Approval and Confirmation.

Date of Appointment.	To what Office.	Name.	Rate of Salaries per Annum.	Where stationed.	Date of Letter of Introduction from Colonial Office.
1859. 19 April -	Stipendiary Magistrate and Justice of the Peace	Warner Reeve Spalding.	300	Queensboro'	21 Oct. 1858.
"	Ditto - - - -	Peter O'Reilly	250	Langley	Dec. 3 1858.
1 March -	High Sheriff - - -	Charles S. Nicol	250	Port Douglas.	—
8 June -	Stipendiary Magistrate and Justice of the Peace.	Thomas Elwyn	250	Lilloett.	—
"	Ditto - - - -	Henry Maynard Ball	250	Lytton	8 Mar. 1859.
1 April -	Assistant Gold Commissioner.	Edward Howard Sanders.	350	Fort Yale	11 Nov. 1858.
19 April -	Chief Clerk in the Colonial Secretary's Office.	Charles Good	350	—	—
7 March -	Chief Clerk in the Treasury.	John Cooper	300	—	—
23 May -	Clerk in the Custom House	William Hutton M'Crea.	200	—	—
8 February -	Registrar of the Supreme Court.	Arthur T. Bushby	250	—	—
8 April -	Revenue Officer - -	Charles Wylde	200	Langley	3 Dec. 1858.

(Signed)

JAMES DOUGLAS.

No. 20.

No. 20.

COPY of DESPATCH from Governor DOUGLAS, C.B., to the Right Hon.
Sir E. B. LYTTON, Bart., M.P.

(No. 194.)

Government House, Victoria, Vancouver's Island,
July 23, 1859.

(Received September 7, 1859.)

SIR,

I HAVE the honour to acknowledge your Despatch No. 63,* of the 11th May, transmitting for my information and guidance, copies of a correspondence with the Admiralty and other Departments of State, relative to the erection of lighthouses on

* Vide papers presented August 1859, page 87.

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COLUMBIA.

certain of the salient points of the Straits of Fuca and the approaches to Esquimalt harbour, and I feel highly gratified by the intelligence conveyed in your Despatch of the intention of Her Majesty's Government to advance the sum of 7,000*l.* for the construction of those important works, on the condition that one moiety of it shall be repaid by the Colonies of Vancouver's Island and British Columbia jointly, and measures will accordingly be adopted for that purpose.

2. I observe that you have requested the Board of Trade immediately to send out the lanterns and light apparatus, and that the Lords Commissioners of the Admiralty have been requested to instruct the naval officers stationed here to give me every assistance to facilitate the work.

4. I depend greatly on Captain Richards, R.N., for the selection of the proper sites, and with him I will associate a Committee of Naval Officers and experienced Ship Masters, so that the choice may be made with due care and discrimination.

5. You may also rest assured that no time will be lost in carrying into effect an undertaking which promises to be so highly conducive to the commercial progress of the country.

I have, &c.

The Right Hon. Sir E. B. Lytton, Bart., M.P. (Signed) JAMES DOUGLAS,
&c. &c. &c. Governor.

No. 21.

No. 21.

COPY of DESPATCH from Governor DOUGLAS, C.B., to the Right Hon.
Sir E. B. LYTTON, Bart., M.P.

(No. 201.)

Victoria, Vancouver's Island, August 16, 1859.

(Received October 10, 1859.)

(Answered, No. 30, October 20, 1859, page 104.)

SIR,

Enclosure.

1. I HAVE the honour of transmitting for your information the report of an overland journey of survey in the districts of British Columbia, bordering on the Thompson, Fraser, and Harrison Rivers, undertaken at my request by Captain Richards of Her Majesty's Ship "Plumper," and conducted by Lieutenant Richard Mayne of that ship, who has performed the service on which he was detached with a degree of success and ability creditable alike to the talents and enterprise of that useful and active officer.

2. The report contains much interesting topographical information, and is accompanied by a valuable explanatory map of the countries described.

3. I would submit how desirable it would be to have this map lithographed in England, and distributed there, and a few sets sent out for sale and distribution in the Colony.

I have, &c.

The Right Hon. Sir E. B. Lytton, Bart., M.P. (Signed) JAMES DOUGLAS,
&c. &c. &c. Governor.

Encl. 1 in
No. 21.

Enclosure 1 in No. 21.

H.M. Ship "Plumper," Esquimalt, Vancouver Island,
July 7, 1859.

SIR,

I HAVE the honour to forward, in compliance with orders from Captain Richards, R.N., a copy of my sketch of part of British Columbia, and my report on the same; also a box of geological specimens collected by Dr. Campbell.

I have, &c.

His Excellency J. Douglas, Esq., C.B.,
Governor, &c.

(Signed) RICHD. C. MAYNE, Lieutenant.

Sub-Enclosure in No. 21.

H.M.S. "Plumper," Esquimalt, Vancouver Island,
July 7, 1859.BRITISH
COLUMBIA.Sub-Encl. in
No. 21.

SIR,

I HAVE the honour to report that in pursuance of your orders after leaving H.M. Ship under your command I proceeded to Langley, and taking the first steamer to Fort Hope, reached that place on the 23rd of April.

I left Fort Hope on the 29th, and reached Fort Yale on the same evening.

The part of the Fraser River between Forts Hope and Yale is so well known that I need not speak of it, except perhaps to say that several rocks must be removed before it can be made reasonably safe for steam navigation, and that I feel sure, both from the geographical position of Fort Yale, and the nature of the country between it and Lytton, it will be many years before it would be remunerative to do that.

We left Yale on May 2nd, and followed the river trail to Lytton, which we reached on the 7th.

The distance by trail from Yale to Lytton is about 60 miles, and the ground over which the trail passes is the roughest on which I have ever travelled, the greater part of it being over sharp pointed rocks or granite boulders. Some of the ascents in the Great Cañon, which is 6 miles long are from 30° to 36° and nearly perpendicular over the water. The current in the narrowest parts I estimated at 15 or 16 knots an hour. During the whole summer this part of the river is impassable for boats going up, and though some few people have come down it in safety, a great many have perished in the attempt.

There is hardly any land fit for cultivation between Lytton and Yale. There is a small flat at Spuzzum, and several above Boston Bar, but they only average 200 or 300 yards long by 50 or 60 wide, and are almost all thickly timbered, and covered with granite boulders. The largest one is about 9 miles below Lytton and is fenced in, I believe by an American, though no one is living there now. It is about 1,000 yards long by 400 yards wide, well covered with grass, but very sandy soil.

From Yale to Boston Bar, the vegetation is limited to pine trees and a few alders, wild onions and vetches growing among the rocks. Above Boston Bar it improves, and on the flats before mentioned there are currants, cherries, gooseberries, and Oregon grapes in considerable quantities, and willows and maple in addition to the pine and alder.

About 2 miles above Boston Bar we found a bed of fine clay slate, running in an easterly direction; dip ranging from 5° to 40°, strike about 25°; and about 3 miles further on we come to a bed of limestone, the only one we saw between Yale and Lytton. The surface was very small. With the exception of these two beds, and a very small surface of clay slate, close to Spuzzum, we saw nothing but granite, both in the mountains and in boulders of every shape and size, some at Wellington Bar being 10 or 15 tons weight.

There is a ferry at Spuzzum, and another at Boston Bar. The former it is not necessary to cross travelling on foot, but the latter must be crossed to get to Lytton.

There are several "restaurants" along the road (every place where anything can be got to eat is called a restaurant in this country), where tea, coffee, bread, bacon, and beans can be got, as well as a plank to sleep on, and these places are at such distances apart that no man possessed of any money need sleep out.

At Chapman's and Boston Bars there are large stores belonging to the express men, Messrs. Wells, Fargo, and Co., and Ballou.

The mule trail leaves the river at Yale and meets it at Spuzzum, crosses it there, and again leaves it until reaching Lytton. It was blocked up by snow when I went up.

Lytton is at the Forks of the Thompson and Fraser rivers, on the south bank of the former, and west of the latter, and is composed of 8 or 10 stores, and a Government house. The site of the town is nearly 800 feet above the river, on the upper of two benches, the lower of which is about 200 feet above the water. The bank on the opposite side of the Fraser is in three benches, the highest being about 600 feet, and the river is 576 feet wide at this season. The opposite bank of the Thompson is about the same height as Lytton. The Thompson River is about 150 yards wide at its mouth, and there is a horse ferry across it for trains going to the Fountain, &c., &c. It is always blowing hard from north or south, the latter wind prevailing in summer, and the clouds of dust which continually sweep across the flat make it anything but a desirable spot for a residence.

We left Lytton for Kamloops, a post of the Hudson's Bay Company on the Thompson River on the afternoon of the 9th of May, and followed the south bank of that river for 9 or 10 miles, when we ascended a steep hill for about 1½ miles, and came to a valley extending about 10 miles to the eastward, well covered with grass, and hemmed in by hills 700 or 800 feet high. From this point the aspect of the country became much more promising than the valley of the Fraser. After traversing the whole length of this valley, we went down upon the Nicola River, and fording it, followed its left bank till we came to the Nicola Lake.

The Nicola River is far prettier than any others I have seen in the country. It is very rapid and full of small islands and sand banks, and winds along in reaches of about half a mile long. At each bend there is a flat of 5 or 6 acres of clear grass land which would be very valuable were they not constantly flooded in summer; in some places the banks are high enough to prevent this, but generally the soil does not appear to be so good as where the banks are low, and the rise of the river is so different in different years that it would require a residence of several summers to know which are flooded and which are not. Another great drawback to agriculture is a deposit of nitrate of soda, which though we first noticed it here appears, more or less, through all the country. Mr. McLean, the officer of the Hudson's Bay Company in charge of Fort Kamloops, told me that where it is in large quantities it destroys wheat, but that it has very little effect on vegetables.

Behind the flats the mountains rise from 500 to 1,000 feet, but though some are bluffs of trap and sandstone, far the greater number are covered with grass nearly to their summits.

The banks of the Nicola are for the most part of clay, nearly perpendicular, and averaging about 20 feet high, but in some places they are 150 feet, and in others only a few inches above the water, even at this season, and lined with poplars and willows. The bed of the Nicola is much higher than that of the Thompson, there being about 1,100 feet difference between the places, where I left the latter and joined the former.

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About 15 miles before coming to the Nicola lake, there is a valley extending to the northward 5 or 6 miles wide. It is not quite level, but the soil appears good, though like all this country, too sandy for an Englishman's notion of rich land. It is well covered with grass, and there are not more than 10 or 15 trees to an acre. The hills bounding it are from 700 to 1,000 feet high. Indians say there is a lake in it running nearly parallel with Nicola lake.

The Nicola or Smūhāatlon Lake lies nearly north and south, and is about 14 miles long by 1 to 2 wide. The banks are low and covered with grass on both sides. There is not much good land on the west side, but on the east there are two large valleys with apparently good land in them, down which run the Rivers Bodimon and McDonald. Granite here for a time supersedes the sandstone and trap; and at the north end of the lake, on the west side, there are some very steep cliffs of it.

After passing the Nicola Lake we went along a good piece of prairie by the side of a chain of small lakes or ponds, which continues till it joins the Thompson nearly opposite Kamloops. Stump Lake or Lake Hāmēā, as it is called by the Indians, is the largest of this chain, and is about 6 miles long by 1 to 1½ wide. After passing this, which is about 5 miles above Nicola Lake, we ascended Mount Sk̄yētākēn, at the top of which we were, by the barometer, 3,600 feet above the level of the sea. This was the greatest height attained during our tour. The view from this mountain was very fine, extending as far as the Semilkamen Valley and Little Okanagan Lake, and showing a very large tract of grazing if not farming country. After crossing Sk̄yētākēn, we passed a succession of low grassy hills and descended to the Thompson River opposite Fort Kamloops, and crossing the river in a canoe reached the Fort about 10 o'clock a.m. on the 14th of May.

Fort Kamloops is situated at the Forks of the Thompson and North Rivers, on the north bank of the former, and the west bank of the latter, and is one of the prettiest sites in the country. It is at the east end of prairie about 10 miles long by 1 to 2 miles wide, which would be very valuable land were it not so low that it is always flooded in the summer. The year before last the Fort itself was flooded so much, that it had to be abandoned until the water fell.

The Thompson was about 300 yards wide at Kamloops, when I was there, and the North River 320 yards. There is nothing of the rushing current here, that there is in every other river we met, and in this river also lower down, and the contrast is so great as to give quite a sluggish appearance to the river, which quietly winds along about 3 knots an hour, though of course it must be much more in midsummer.

Mr. McLean considers the soil here good, though not so good as at the head waters of the Thompson, about 22 miles east of this, or in the Semilkamen Valley, which he considers the best place in the colony for an agricultural settlement. The land about Fort Alexandria, where he resided for several years, he also considers better than this, though more subject to frost. But I believe it is a great, though common error to suppose that crops are destroyed nearly every year by frost; at places even further north than Alexandria, once in 4 or 5 years being a fair average. Great quantities of potatoes are grown at the head of both Thompson and North Rivers, by the Indians, but nothing else has been tried. At Kamloops vegetables of all kinds thrive very well. A bushel of wheat there yields on an average 15 bushels; Mr. McLean says that at Alexandria he has known it yield 40.

There is considerable trade now carried on across the American frontier, and through Kamloops to the Fraser, and to the small rivers branching off from the Thompson, on nearly all of which, there are or have been miners working. A great quantity of spirits, and other things were smuggled into the country, this way last year.

Gold has been found in the Rivers Tranquille, Défaut, Nicola, and Nicola, and silver in the latter, by Mr. McLean, and I believe he sent the first gold that was found in British Columbia from the last-named river. He assured me, also, that he had seen copper obtained by the Indians from a mine on the north bank of the Shuswap Lake, so pure, that they made arrow heads, pipe stems, &c., of it.

There is a trail from this to Fort Hope, which is always used by the servants of the Hudson's Bay Company for transporting their goods to and from the northern parts. It is, however, dangerous in some parts, and a number of horses are lost each time the fur brigade comes down. There is a bad swamp 7 or 8 miles long, and a steep mountain (Manson's Mountain), both of which they have to cross. It takes them 10 or 15 days to go from Kamloops to Hope, but I am told that travelling without luggage it could be done in 3 or 4 days. A man has gone from Kamloops to Langley in 5 days.

The Indians all over the country suffered fearfully from want of food last winter, a great many dying of starvation. I believe, it was owing, in a great measure, to their improvidence, most of them leaving off the fishing, hunting, &c. last summer in the general mania for gold digging, and making no provision for the winter. This state of things accounts for number of thefts perpetrated on miners, and others by them; their only choice in most cases being to steal or die. I think they can hardly be wondered at for preferring the former.

We left Kamloops for the Pavillon, on the 17th May, and rode along the north bank of the Shuswap Lake, as far as Tranquille River, after fording which we ascended a steep hill to the northward, and opened about 3 miles of very nice grass land, and then coming down again followed the lake to the copper mine, at the foot of which we camped. It is in a bank of about 800 feet high that the copper is found, but we searched from top to bottom without finding any, though everything was coloured with it.

The road along the north side of Shuswap Lake is very rough, the hills sloping down to the edge of the lake. After about five hours' riding we reached the River Défaut, across which we had to swim the horses—an undertaking which the force of the current makes both difficult and dangerous to perform, though the river is only 20 or 30 yards wide. The west bank of this river is about 250 feet high, on ascending which there is a grass plain 5 or 6 miles long, and from that to the River De la Cache is all good grazing ground, and indeed, I might almost say, all the way to the Pavillon. There is a small stream, 2 yards wide, between the rivers Défaut and De la Cache, which is dignified by the name of Couteaux River, and here we left the Thompson, and turned a little northward, the river running away to the southward.

All the Thompson River from the Shuswap is very much like the Nicola, but larger and not so pretty. The soil near the River De la Cache is very good, but covered with soda. The river is small and shallow, but just above where it joins the Bonaparte, being the best ford in that river, makes it a good

place for a revenue station, as the Bonaparte river must be crossed in going to either Fountain or Pavillon, except by going round to Lytton, where there is a magistrate.

We crossed the Bonaparte River on the morning of the 19th May, finding only 3 feet 6 inches of water in the deepest part of the ford, which was an agreeable surprise, for we expected this to have been the worst of all the rivers, as it was far the largest we crossed between Kamloops and Pavillon, and, we had been told, the deepest. We skirted along a steep hill, on the north side of it, down which one of the pack horses fell, though fortunately without injury, and we then came down again on the river. This hill would be avoided if the river were bridged, as the bridge would be thrown across higher up, where the trail crosses the stream in winter, but the river at this season is too deep for fording at that part. The valley of the Bonaparte is not quite so much covered with the nitrate of soda as the other valleys we passed through; indeed, neither the Bonaparte or Chapeau valleys contain so much of it as those of the Thompson and Nicola.

We followed the north bank of the Bonaparte for about 7 miles till we met the Chapeau River, from whence we followed the Chapeau for 12 miles, crossing the river several times. The Bonaparte turns northward after its junction with Chapeau to Lake Loon, in which, I believe, it takes its rise.

The Chapeau River is a remarkable one, though only 10 or 12 yards wide, inasmuch as it and the Thompson make an island of about 25 square miles of country, in the same way that the Nicola and Thompson make one of 40 square miles further south. After leaving the Bonaparte it turns westward for about 12 miles, and then turns southward, joining the Fraser about 18 miles above Lytton. Its banks are from 20 to 60 feet high, and the valley averages 800 yards in width. Here the limestone commences, and from this to Lake Pavillon there is hardly anything else.

Leaving the Chapeau, we turned northward through a narrow valley, between perpendicular limestone mountains 4,000 to 5,000 feet high, and came to a small lake (Crown), immediately beyond which is Lake Pavillon, which is about 6 miles long, and three-quarters of a mile wide. At the north end of this lake there is a most curious peak like a round tower, called by the Indians Skillö Päälock, and about a mile further on is a farm of about 20 acres, on which three Americans are at work. They had not tried grain when I was there, but said they thought the soil good. Four miles more along the north bank of the Pavillon River, which runs from the lake to the Fraser, brought us to the Pavillon itself.

The Pavillon is on the east bank of the Fraser, on a bench 600 feet above the river, very similar to that at Lytton. It blows, and the dust flies in the same manner. There is one wooden house, and several huts of canvas and boughs, which, like their log contemporaries in the Canons, are called restaurants. Flour was 35 cents per lb., and bacon 75, when I was there. In the winter flour was as high as 85 cents, and bacon \$1 50c.

The charges for carriage of goods, &c. now are, from Pavillon to Kamloops, 25 cents per lb.; to Fountain, 6; to Cayoosh, 8; and to Big Bar, 8; from Lytton to Big Bar, 30 cents. Big Bar is about 18 miles above Pavillon. Silver and copper have both been found at the Pavillon; the latter I have seen.

We left Pavillon on the 23rd of May, and walked by a very good trail to the Fountain. The Fountain, so called from a small fountain there, is a very much prettier and better site for a town than Pavillon; the latter, however, possessing the great advantage of limestone, none of which I saw at the Fountain, though I do not doubt there is some not far from it.

There is a considerable bend in the river at the Fountain, which shelters it to a considerable extent from the north and south winds. There are two or three large stores here, and some half dozen log-huts scattered over the flat. There is a valley at the west end of the flat, which extends southward as far as Foster's Bar, and through which there is a good trail.

About 3 miles below Fountain, on the opposite side of the Fraser, is Bridge River; there is a large store there, belonging to Messrs Fraser and Davis, who have thrown a wooden bridge, about 40 yards long, across the Bridge River, 800 yards from its mouth, for crossing which they make the miners pay 25 cents a head; they having, I am told, pulled down a bridge the Indians had made, and on which it was quite safe to cross. About 1½ miles below this is French Bar, where there is a ferry, by which we crossed, and two miles further on, on the west bank of the river, is situated Cayoosh.

Cayoosh is at the junction of the Tukumeth and Fraser Rivers, where the Harrison Lillooet route commences, and is the prettiest place I saw on the Fraser. Four or five huts, and the same number of stores, compose the town on the west side; on the east side the Hudson's Bay Company are building a fort, to be called Fort Beren. It is to stand on the lowest of three benches, into which the bank is divided, about 50 feet above the water. There is a ferry at Cayoosh, and a trail on either side of the river to Lytton, the drawback to the one on the west side being that the Tukumeth is not always fordable. On the 24th May we again left the Fraser, and struck down the Harrison Lillooet route, and, following the Tukumeth, camped at the north end of Lake Seton, where there are a few huts for the boatmen who ply on the lake.

The following morning we crossed Lake Seton in four hours, and Lake Anderson the same afternoon in five. The two lakes are about the same size, and have much the same appearance, but Lake Anderson tends much more to the southward than the other. Both are bounded by steep mountains, 3,000 to 5,000 feet high, and both are very deep. There is no perceptible current in them, and hardly any rise and fall. Southerly is the prevailing wind, and it blows nearly always during the day, the morning and evening being calm. These lakes are separated by a neck of land 1½ miles wide, which is nearly level, and through which runs a stream 20 or 30 yards wide. Port Anderson is at the south end of Lake Anderson. There is a large restaurant there for the entertainment of muleteers, &c. &c. From Port Anderson to Port Pemberton is the Birkenhead Portage, or, as it is now generally called, the Mosquito Portage, which name it certainly well deserves. It is about 25 miles long by the trail, which is on the whole good. There are regular trains of mules on both this and the next portage. When I was there they charged 8 cents per lb. for packing along this one, but in the winter it was 12 cents.

About 9 miles from Port Anderson is Summit Lake, which is a mile long, and from which the waters run north and south. It is about 800 feet above Port Anderson, and 1,800 feet above the sea. Half way between Ports Anderson and Pemberton there is a large bed of clay-slate nearly two miles long. There is a river called the Scaarlux, running the whole length of this portage. The banks are low and

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covered with willows, &c., and many small streams run into it on both sides. The valley of the Scaarlux averages about 1,500 yards in width, except at Port Anderson where it is nearly two miles wide. It is bounded by mountains 1,000 to 5,000 feet high, and generally very steep. There were quantities of wild peas, lettuce, and berries on all the level spots. There are only two valleys of any size running off from it, one near Port Anderson on the east side, and the other near Port Pemberton on the west.

We reached Port Pemberton at 11 a.m. on the 27th. Port Pemberton is on the north bank of the Lillooet Lake, and contains half-a-dozen Restaurants and huts occupied by muleteers and boatmen. There is a large flat in the lake opposite to it which dries the whole way across in the winter, and goods have to be landed a quarter of a mile lower down, but at this season there is a passage wide enough for a boat to come up to a wharf which has been built abreast the town. About 2 feet is the extreme rise and fall on this lake, and there is never any perceptible current.

We left Port Pemberton at 3 o'clock the same afternoon, and arrived at Port Lillooet about 7.30 p.m. We were treated on our arrival there to the first rain that has fallen on the lake this year, and it continued all night. There is only one store and an old barn at Port Lillooet. We left Lillooet next morning for Port Douglas, by what is called the Douglas Portage. There is a small lake, or rather a continuation of the large one, for about 4 miles from Port Lillooet, and from the south end of this little Lillooet Lake, as it is called, flows the Lillooet River, the mouth of which is at the Great Harrison Lake about a mile below Port Douglas. At this season the Lillooet River is entirely unnavigable, on account of several dangerous rapids, in one of which there is a fall of 10 or 12 feet; but in the winter considerable quantities of goods were brought up the river in canoes, with a great saving of expense to the merchants; the Indians charging 5 cents per lb. from Port Douglas to Port Lillooet, when the mule trains were charging 15 cents.

Following the east bank of this river about 8 miles, we came to the Hot Spring (St. Agnes' Well). The temperature of this spring is, I should think about 160°, but the thermometer we had with us when we were there was only graduated to 120°, and it went up to that instantaneously. It flows in a small stream from the centre of a large knob of conglomerate rock (specimens of which I have sent among others to his Excellency the Governor) into a basin at the foot of the rock. I brought a bottle of it down with me, but the quantity was not sufficient for analyzation.

We camped that night, 29th, at the Akotzstar River, and reached Port Douglas at 3 p.m. next day.

We observed no new features on the Douglas Portage, and no limestone since leaving Pavillon.

The Lillooet River is very rapid, averaging 80 to 90 yards in width, but varying from 30 to 130 yards. There is a large stream called the Amockwā running into it from the southward, about 9 miles below Port Lillooet, and another from the same direction called the Zōäkleēn about 10 miles above Douglas. This latter is said to come from a lake called Zōäklīnekt. The trail passes over many steep places which I think might have been avoided, but as an officer of the Royal Engineers is examining it more fully than I did, with a view to making alterations in the route, it is needless for me to make any remarks on this subject. The cedars on the side of the hill above Port Douglas are the finest I have seen in the country. I was told by a Frenchman that he had found gold-bearing quartz about 10 miles above Port Douglas.

Port Douglas is situated on a flat at the head of a small lake about a mile long, which is called Little Harrison Lake. In summer the water rises some distance over this flat. I am unable, however to say how far, as the water was not at its highest when I was there, but even then some of the houses had 2 or 3 feet of water under or in them according as they were built on piles or not.

Between the Little Harrison Lake and the Great Harrison Lake, there is a narrow passage nearly half a mile long. In summer there is sufficient water in it for the flat-bottomed steamers to go through, but in winter there is only 4 or 5 inches, and it is generally frozen over.

The Great Harrison is the largest of the chain of lakes. It is about 30 miles long, and in some places 5 or 6 miles wide, in appearance much similar to the others. There are two large valleys on the east side, one running E.S.E., and the other N.E.; the latter is said to extend nearly to Lytton. There is a stream running down it, which I think takes its rise in the Cayoush Lake. At the entrance to the Great Harrison Lake there is a flat, which, like the small passage at its head, dries or very nearly dries in winter, thereby blocking out steamers for at least seven months in the year; so that during the winter all goods have to be landed at the entrance of Harrison River and taken up the lake in boats. This difficulty may be overcome either by making a canal for the river steamers to pass through or by making a road from the entrance of Harrison River to the south end of the Great Harrison Lake, and keeping a steamer inside the lake to carry the freight to Port Douglas. Or it may be found better to cut a road from the Fraser River through the valley of the south end of the Great Harrison Lake, avoiding Harrison River and the flat altogether. One of these three things must be done if the Harrison Lillooet is to be the high road to British Columbia. It is thought that the opening of a road from Fort Hope to Boston Bar will cause the valley of the Fraser to be used for transporting goods into the interior; but I think this is a mistake, except, of course, as far as the mining bars between Yale and Lytton are concerned. In the first place Lytton is not in so central a position with regard to the mining regions as Cayoush, Fountain, or Pavillon, and the trail from Fountain to Lytton is much better than from Boston Bar to that place.

Gold has now been found in large quantities at Alexandria, and from Pavillon there is a trail through a valley parallel to the Fraser, along which a waggon might be driven nearly the whole way.

There is gold in almost all the tributaries of the Thompson River also, and the road from Kamloops to Fountain or Pavillon is much better than between Lytton and Kamloops.

The country about Chilcoaten is, I am told, very good. A Canadian, residing at Pavillon, informed me he had travelled from Fort Chilcoaten to the lakes on Bridge River, through a valley parallel to the Fraser, and he knows an Indian who has been from thence to Port Douglas by a route leading down the valley east of the Lillooet. And both of these routes he describes as being over good land, and such as a road might be made on without great difficulty.

Between Chilcoaten and the sea there is a chain of mountains through which there are two known passes, one by the west road river, up which Sir A. M'Kenzie went, and the other at the head of Chilcoaten River, which has never yet been crossed by a white man; when Mr. M'Lean was at Fort

Alexandria he received a letter from the "Beaver," lying in North Bentinck Arm, in three days by the latter route.

The change of temperature is very remarkable in British Columbia. I have seen the thermometer at 91° at daylight, in the shade at noon the same day 85°, and 40° again in the evening. I append a table of meteorological observations taken during my tour, as well as those taken on board H.M.S. "Plumper" at the mouth of the river during the same period. The absence of animal life is also very remarkable. The only birds we saw were about half-a-dozen partridges, a few humming birds, American robins, and one or two other species of small birds. There are rattlesnakes in the country, and the chief of the Shuswap Indians told me that his people were frequently killed by their bites; but we saw only one.

I have sent, according to your order, to his Excellency the Governor, the geological specimens collected by Dr. Samuel Campbell; a small collection of plants, made also by that officer, has been given to Dr. Wood.

I cannot close this without expressing my sense of the great obligation I am under to Dr. Campbell, R.N., for his zealous and hearty co-operation on all occasions.

I have also to acknowledge, with pleasure the great kindness I received at the hands of the gentlemen of the Hudson's Bay Company wherever I met them.

I have, &c.

To Capt. George Henry Richards, R.N.,
H.M.S. "Plumper."

RICHARD C. MAYNE, Lieutenant.

Enclosure 2 in No. 21.

Encl. 2 in
No. 21.

ABSTRACT of the Barometer, Attached Thermometer, and Temperature of the Air.

Date.	Time.	Baro- meter.	Attached Thermometer.	Temperature of Air.	Remarks.	Date.	Time.	Baro- meter.	Attached Thermometer.	Temperature of Air.	Remarks.
1859.						1859.					
April 1 -	Noon -	30° 37	50	47		Apr. 30 -	Noon -	29° 96	56	51	
	Midnight	° 37	49	44			Midnight	° 94	53	41	
" 2 -	Noon -	30° 43	54	48		May 1 -	Noon -	29° 92	59	53	
	Midnight	° 38	51	44			Midnight	° 93	56	53	
" 3 -	Noon -	30° 47	49	49		" 2 -	Noon -	29° 85	64	60	
	Midnight	° 45	52	43			Midnight	° 88	58	50	
" 4 -	Noon -	30° 46	59	53		" 3 -	Noon -	29° 95	63	58	
	Midnight	° 40	55	46			Midnight	30° 08	58	51	
" 5 -	Noon -	30° 36	55	51		" 4 -	Noon -	30° 31	59	50	
	Midnight	° 17	53	41			Midnight	° 28	53	45	
" 6 -	Noon -	30° 13	59	51		" 5 -	Noon -	30° 13	54	58	
	Midnight	° 03	57	47			Midnight	29° 93	58	57	
" 7 -	Noon -	29° 97	57	47		" 6 -	Noon -	29° 90	55	55	
	Midnight	° 78	53	47			Midnight	29° 94	57	52	
" 8 -	Noon -	29° 76	55	48		" 7 -	Noon -	29° 92	60	57	
	Midnight	° 74	50	45			Midnight	29° 78	55	49	
" 9 -	Noon -	29° 77	56	47		" 8 -	Noon -	30° 85	57	52	
	Midnight	° 67	47	43			Midnight	30° 04	52	46	
" 10 -	Noon -	29° 63	48	45		" 9 -	Noon -	30° 15	60	49	
	Midnight	° 75	46	42			Midnight	° 15	56	45	
" 11 -	Noon -	30° 02	50	43		" 10 -	Noon -	30° 18	58	48	
	Midnight	° 04	43	32			Midnight	30° 12	52	44	
" 12 -	Noon -	30° 15	53	42		" 11 -	Noon -	30° 30	58	52	
	Midnight	° 26	51	43			Midnight	° 42	57	50	
" 13 -	Noon -	30° 48	58	45		" 12 -	Noon -	30° 54	62	58	
	Midnight	° 53	53	46			Midnight	° 45	59	51	
" 14 -	Noon -	30° 62	59	48		" 13 -	Noon -	30° 02	69	64	
	Midnight	° 57	57	48			Midnight	° 15	63	53	
" 15 -	Noon -	30° 42	58	51		" 14 -	Noon -	30° 14	71	68	
	Midnight	° 22	58	46			Midnight	° 06	63	57	
" 16 -	Noon -	30° 20	62	48		" 15 -	Noon -	30° 15	63	67	
	Midnight	° 17	54	47			Midnight	° 10	64	59	
" 17 -	Noon -	30° 28	59	51		" 16 -	Noon -	29° 99	60	57	
	Midnight	° 13	55	43			Midnight	° 00	59	54	
" 18 -	Noon -	30° 16	59	49		" 17 -	Noon -	30° 10	63	63	
	Midnight	° 16	54	43			Midnight	° 02	61	55	
" 19 -	Noon -	30° 34	54	49		" 18 -	Noon -	30° 10	58	59	
	Midnight	° 34	51	38			Midnight	° 22	57	57	
" 20 -	Noon -	30° 30	55	52		" 19 -	Noon -	30° 31	62	58	
	Midnight	° 19	55	41			Midnight	° 26	60	50½	
" 21 -	Noon -	30° 13	59	59		" 20 -	Noon -	30° 33	64	59	
	Midnight	° 08	56	44			Midnight	° 29	60	52	
" 22 -	Noon -	30° 04	59	56		" 21 -	Noon -	30° 18	65	59	
	Midnight	° 02	55	48			Midnight	° 05	66	50	
" 23 -	Noon -	29° 93	60	55		" 22 -	Noon -	30° 05	56	55½	
	Midnight	° 86	57	45			Midnight	29° 92	55	42	
" 24 -	Noon -	29° 86	51	54		" 23 -	Noon -	30° 15	60	52½	
	Midnight	° 99	56	57			Midnight	° 28	54	47	
" 25 -	Noon -	30° 16	55	52		" 24 -	Noon -	30° 50	61	55	
	Midnight	° 19	56	50			Midnight	° 51	58	49	
" 26 -	Noon -	30° 22	54	50		" 25 -	Noon -	30° 52	64	56	
	Midnight	° 11	54	47			Midnight	° 39	59	51	
" 27 -	Noon -	30° 03	52	50		" 26 -	Noon -	30° 25	62	64	
	Midnight	29° 99	51	44			Midnight	° 03	59	54	
" 28 -	Noon -	30° 08	53	47		" 27 -	Noon -	29° 98	64	62	
	Midnight	° 08	57	45			Midnight	° 87	61	56	
" 29 -	Noon -	30° 06	54	49		" 28 -	Noon -	29° 90	60	55	
	Midnight	29° 98	53	47			Midnight	° 91	56	53	

BRITISH
COLUMBIA.ABSTRACT of Barometer, &c.—*cont.*

Date.	Time.	Baro- meter.	Attached Thermometer.	Temperature of Air.	Remarks.	Date.	Time.	Baro- meter.	Attached Thermometer.	Temperature of Air.	Remarks.
1859.						1859.					
May 29	Noon	29.99	49	52		June 10	Noon	30.01	71	67	
	Midnight	.98	57	51			Midnight	.03	65	60	
" 30	Noon	29.95	60	57		" 11	Noon	30.11	62	59	
	Midnight	30.10	57	50			Midnight	.06	66	59	
" 31	Noon	30.40	61	54		" 12	Noon	30.12	59	56	
	Midnight	.40	56	49½			Midnight	.02	60	55	
June 1	Noon	30.35	59	57		" 13	Noon	30.15	63	59	
	Midnight	.15	59	55			Midnight	.18	58	52	
" 2	Noon	30.10	59	57		" 14	Noon	30.18	64	60	
	Midnight	29.96	61	57			Midnight	.02	59	54	
" 3	Noon	29.97	66	65		" 15	Noon	29.99	57	55	
	Midnight	.86	64	61½			Midnight	.98	60	57	
" 4	Noon	30.22	65	63		" 16	Noon	30.15	65	55	
	Midnight	.38	60	52			Midnight	.18	61	54	
" 5	Noon	30.28	60	58		" 17	Noon	30.28	60	60	
	Midnight	.04	57	54			Midnight	.15	61	52	
" 6	Noon	30.22	54	54		" 18	Noon	30.15	58	58	
	Midnight	.27	56	52			Midnight	.05	60	55	
" 7	Noon	30.24	57	57		" 19	Noon	30.25	61	59	
	Midnight	.34	57	56			Midnight	.35	58	52	
" 8	Noon	30.38	62	61		" 20	Noon	30.38	64	58	
	Midnight	.09	61	57			Midnight	.23	58	56	
" 9	Noon	29.98	62	63							
	Midnight	.87	66	62							

Encl. 3 in
No. 21.

Enclosure 3 in No. 21.

METEOROLOGICAL OBSERVATIONS taken in BRITISH COLUMBIA during the Months of April and May 1859.

Date.	Barometer and Thermometer attached.				Thermometer.				Remarks, Place, &c.
	6 A.M.	Noon.	5 P.M.	10 P.M.	6 A.M.	Noon.	5 P.M.	10 P.M.	
1859.									
April 20	-	-	-	30° 11-65½	—	—	—	—	Weather very fine. At Langley, Fraser River.
" 21	30° 10-67	—	—	—	—	—	—	—	Fine; night overcast.
" 22	—	—	—	—	—	—	—	—	Fine.
" 23	—	—	—	—	—	—	—	—	Ditto. At Fort Hope.
" 24	-	29° 54-61	-	29° 71-58	—	54	—	54	Ditto; force of wind, 4.6.
" 25	29° 86-51	29° 92-54	-	29° 97-54	51½	54½	—	54	Cloudy, slight showers, &c.
" 26	-	29° 97-56	29° 97-57	29° 98-57	—	54½	54	47	Cloudy.
" 27	29° 79-56	29° 75-56	29° 78-57	-	58	60	51	47	Ditto.
" 28	29° 83-53	29° 83-53	29° 85-56	29° 86-53	45	50	48	38	Ditto, slight showers.
" 29	29° 87-53	-	29° 50-50	29° 53-53	45	50	48	38	Very fine.
" 30	29° 57-54	29° 57-54	29° 61-63	-	45	50	48	38	Cloudy. Fort Yale, F. R.
May 1	-	-	29° 53-62	—	—	—	—	—	Fine. At Fort Yale.
" 2	29° 51-51	29° 52-61	29° 50-58	-	51	60	53	50	Very fine.
" 3	29° 47-40	29° 47-81	-	-	40	85	50	48	Ditto. At Ferry House, F. R.
" 4	29° 60-54	29° 76-62	29° 72-61	29° 73-57	53	63	61	54	Ditto. Passing along river.
" 5	29° 72-47	29° 86-65	29° 08-73	28° 98-59	41	69	60	50	Ditto. Ther. in sun, 84°, at Boston Bar.
" 6	28° 87-41	29° 47-77	29° 13-74	29° 07-58	45	73	74	56	Ditto. Ther. in sun, 80°.
" 7	29° 02-51½	-	-	28° 78-57	50	—	—	52	Ditto. Force of wind, 3.5.
" 8	28° 47-51	-	-	-	50	64	43	44	Ditto. Ditto.
" 9	29° 02-44	29° 07-54	29° 21-61	29° 06-47	40	61	54	42	Fine. Lytton, F. R.
" 10	29° 11-44	26° 50-64	27° 72-50	27° 70-48	43	64	50	37	Ditto. Ditto.
" 11	27° 75-48	28° 04-65	27° 85-60	27° 85-55	30	65	55	55	Weather fine. Passing along the Nicola River.
" 12	27° 92-43	27° 97-64	27° 42-60	27° 81-48	42	70	63	40	Ditto.
" 13	27° 80-41	27° 40-65	26° 25-70	26° 55-44	30	79	70	45	Ditto. On top of Skytakew Hill, near Fort Thompson.
" 14	26° 60-40	28° 62-72	28° 58-66	26° 65-44	32	72	65	50	Ditto. At Fort Kamloops, or Thompson.
" 15	28° 88-46	28° 53-80	-	28° 44-68½	46	76	70	68	Ditto.
" 16	28° 28-69	28° 26-73	28° 35-62	28° 50-58	65	70	50	50	Ditto.
" 17	28° 65-55	27° 69-72	27° 62-72	28° 42-62	65	73	60	58	Ditto. At Lake Shuswap.
" 18	28° 41-58	28° 44-77	28° 11-63	28° 19-55	48	82	56	50	Ditto. Ther. in sun 127°, at noon.
" 19	28° 17-39	27° 61-69	27° 10-67	27° 10-56	34	80	56	53	Ditto.
" 20	27° 11-49	27° 71-73	28° 46-73	28° 28-62	48	80	67	64	Ditto.
" 21	28° 21-58	28° 17-73	28° 17-79	28° 10-60	60	80	73	60	Ditto. Force of wind, 4.6. At Pavillon, Fraser River.

METEOROLOGICAL OBSERVATIONS taken in BRITISH COLUMBIA—*continued.*BRITISH
COLUMBIA.

No. 22.

Date.	Barometer and Thermometer attached.				Thermometer.				Remarks, Place, &c.
	6 A.M.	Noon.	5 A.M.	10 P.M.	6 A.M.	Noon.	5 P.M.	10 A.M.	
1859.									
May 22	28°14-53	28°06-71	28°00-55	28°25-55	51	75	58	55	Slight showers, &c., at Pavilion, Fraser River.
" 23	28°09-49	28°70-67	28°60-63	29°25-55	40	68	63½	59	Cloudy, slight showers. Ditto.
" 24	29°49-53	29°84-67	29°55-72	29°54-57	52	70	67	55	Very fine. Ditto.
" 25	29°54-55	29°32-80	29°15-60	29°15-58	55	80	72	60	Ditto. Ther. in sun 90°.
" 26	29°17-55	29°02-70	28°24-67	28°08-59	55	70	68	59	Ditto. Passing along the Harrison and Lillooet trail.
" 27	28°00-51	29°06-72	28°90-63	28°89-61	50	72	68	61	A.M. fine; P.M. very rainy.
" 28	28°83-56	28°88-62	29°21-57	-	56	65	60	58	Cloudy, slight showers.
" 29	29°28-53	29°42-60	29°77-59	29°75-57	53	60	55	53	Ditto. ditto.
" 30	-	29°67-56	29°74-53	29°82-52	53	60	55	52	Heavy squalls of rain. At Port Douglas.
" 31	29°92-49	30°12-59	30°21-53	30°17-49	49	60	53	49	Fine. At Harrison Lake.

SAMUEL CAMPBELL, M.D., H.M.S. "Plumper."

No. 22.

COPY of DESPATCH from Governor DOUGLAS, C.B., to the Right Hon.
Sir E. B. LYTTON, Bart., M.P.

Government House, Victoria, Vancouver's Island,

August 17, 1859.

(Received October 10, 1859.)

SIR,

I HAVE the honour to acknowledge the receipt of your Despatch of the 5th May last, No. 61,* conveying to me Her Majesty's commands as to the designation to be conferred upon the capital of British Columbia.

2. I have announced by Proclamation Her Majesty's decision, and that the town heretofore known as Queensborough shall, in pursuance of Her Majesty's pleasure, be henceforth called the city of New Westminster.

3. I forward herewith a copy of the "Victoria Gazette" containing the Proclamation in question.

4. I beg you will offer to Her most Gracious Majesty our dutiful acknowledgments for Her kindness and consideration in acceding to our wishes in this matter.

I have, &c.

The Right Hon. Sir E. B. Lytton, Bart., M.P. (Signed) JAMES DOUGLAS,
&c. &c. &c. Governor.

* Vide papers
presented Aug.
1859, p. 86.

Enclosure in No. 22.

Encl. in No. 22.

BRITISH COLUMBIA.

PROCLAMATION.

By his Excellency JAMES DOUGLAS, Companion of the Most Honourable Order of the Bath, Governor and Commander-in-Chief of British Columbia, Vice-Admiral of the same, &c.

WHEREAS Her Majesty the Queen has been graciously pleased to decide that the Capital of British Columbia shall be styled the city of New Westminster.

Now, therefore, I, James Douglas, do hereby declare and proclaim that the town heretofore called and known as Queensborough, and sometimes as Queenborough, in the Colony of British Columbia, shall from henceforth be called and known as New Westminster, and shall be so described in all legal processes and official documents.

Issued under the Public Seal of the said Colony, at Victoria, Vancouver's Island, this Twentieth day of July 1859, in the Twenty-third year of Her Majesty's Reign.

JAMES DOUGLAS. (L.S.)

By command of his Excellency.

WILLIAM A. G. YOUNG,
Acting Colonial Secretary.

GOD SAVE THE QUEEN!

BRITISH
COLUMBIA.

No. 23.

No. 23.

COPY of DESPATCH from Governor DOUGLAS, C.B., to the Right Hon.
Sir E. B. LYTTON, Bart., M.P.Government House, Victoria, Vancouver's Island,
August 18, 1859.

(Received October 10, 1859.)

(Answered No. 29, October 20, 1859, p. 104.)

(No. 206.)

SIR,

Enclosure.

I HAVE the honour of transmitting herewith for your information, a report lately received from Colonel Moody, of a reconnaissance of the Harrison and Lillooet route to the Upper Fraser, under the command of Lieutenant W. S. Palmer, Royal Engineers, which contains much valuable information respecting the character and capabilities of those districts of British Columbia explored by Lieutenant Palmer.

2. The report is accompanied with six explanatory plans, and three photographic views, which greatly add to the general interest of the narrative.

3. If it should please Her Majesty's Government to cause these plans to be lithographed, we have to request that a few sets may be sent out for distribution in this colony.

I have, &c.

The Right Hon. Sir E. B. Lytton, Bart., M.P. (Signed) JAMES DOUGLAS.
&c. &c. &c. Governor.

Encl. in No. 23.

Enclosure in No. 23.

North Camp, New Westminster (Queensborough),
July 10, 1859.

SIR,

I HAVE the honour to report that I returned here on the 13th ult., having completed my reconnaissance of the Harrison and Lillooet route to the Upper Fraser.

I forward for your information a detailed report, drawn up in connexion with the instructions I received from you before starting, accompanied by illustrative plans.

I took latitudes at all important points and determined their longitudes in reference to Queenborough, as far as my means would permit; and, although I had only a pocket chronometer, I trust, from the almost perfect identity of my traverses and observations over distances as great as 34 miles, that I have arrived at a close approximation to the truth: owing to the very wooded mountainous character of the country along nearly the whole route, I have been unable to carry out that portion of my instructions directing me "to fix by prismatic observations from known points the positions of remarkable mountains, valleys, &c.," to the extent I desired.

Nor have I deemed it necessary thoroughly to explore the whole of the country through which I passed (which would have involved great delay), being aware that the immediate construction of a road along this route was contemplated, and that you would therefore be desirous that I should return and give such a report as a march over the route, aided by notes and a rough survey, would permit. I beg further to remark that any slight differences in the breadth of rivers, heights of banks, &c., which an examination of the route at this time of the year would show, are due to the rise of the water, which since my return has been very considerable, and which in many places, and more especially on the margin of the Fraser, has entirely changed the appearance of the country.

I have the honour to enclose tables showing the latitudes and longitudes of the places whose positions I have fixed (the assumed longitude of (Queenborough) New Westminster being that determined by Capt. Richards, R.N.), and the distances from point to point on the route.

Colonel R. C. Moody, R.E.
&c. &c.

I have, &c.

H. SPENCER PALMER,
Lieut., R.E.

SIR,

North Camp, New Westminster,
July 28, 1859.

I HAVE the honour to annex to my report on the Harrison and Lillooet route two photographic views of Douglas, the starting point of the new waggon road.

These are accompanied by a specimen of one of several plans now in course of preparation, reduced by the photographic process from the original drawing on a scale of 1,000 yards to an inch, to a scale of 2 miles to one inch, for application to a general map of the country.

Colonel R. C. Moody, R.E.
&c. &c.

I have, &c.

H. SPENCER PALMER,
Lieut., R.E.

A LIST of PLANS accompanying Lieut. Palmer's Report on the Harrison and Lillooet Route.*

- No. 1. Plan showing the communication by the Fraser and Harrison Rivers, and Harrison and Douglas Lakes, from a point near Fort Langley to Douglas. Scale 2,000 yards to one inch.
- „ 2. Plan of the First or Lillooet Portage from Douglas to the Tenass Lake. Scale 1,000 yards to 1 inch
- „ 3. Plan of Lakes Lillooet and Tenass. Ditto.
- „ 4. Plan of Lakes Anderson and Seaton, showing the short portage connecting them. Scale 1,000 yards to 1 inch.
- „ 5. Plan of the Fraser district from Seaton to Fountain. Scale 1,000 yards to 1 inch.
- „ 6. A rough trace of an unfinished geographical map of the whole route, from New Westminster to Fountain. Scale 4 miles to 1 inch.

Photographic.

- No. 1. View of Douglas from the R.E. Camp.
- „ 2. View of Douglas from Lake Douglas.
- „ 3. Plan of the Fraser district from Seaton to Fountain, reduced to a scale of 2 miles to an inch.

H. S. PALMER,
Lieut., R.E.

REPORT on the HARRISON and LILLOOET ROUTE from the Junction of the Fraser and Harrison Rivers to the Junction of the Fraser and Kayoosch Rivers, with Notes on the Country beyond as far as "Fountain," by Lieut. H. SPENCER PALMER, R.E.

May 1859.

As the existing route from Quecnborough to Douglas can be performed throughout by steamers at certain seasons of the year, I deem it unnecessary to describe it in detail, dwelling only on those points where engineering works will be necessary to establish it as a permanent route for river steamers at all times.

The Harrison River runs into the Fraser from the northward, at about 35 miles by water above Fort Langley. At the mouth the river is broad and deep, and the current by no means swift, the water of the Harrison being backed up by that of the Fraser at this season of the year. About three miles, however, from the mouth it is extremely shallow and rapid, and although a channel does exist which will admit of bateaux drawing 1 foot or 18 inches of water being towed through at the lowest stages of the water, it is a great deal too tortuous, narrow, and shallow to admit of the passage of steamers of the class at present running on the Fraser, except at high stages of the water.

The Harrison
River or rapids.

To render this route permanent it will be necessary to form a channel through these shallows of a considerable width (say 40 feet), which shall maintain a depth of at least 3 feet at all times.

At the time I made my reconnaissance the water was too high to admit of my forming any decisive opinion as to the works necessary for the above purpose, but from such information as I have been able to collect, in addition to what I observed myself, the portion that would have to be deepened is not more than a quarter of a mile in length.

I am of opinion that the simplest and easiest way to effect the formation of this channel would be by damming at the upper end of the shallows, an operation that would be greatly facilitated by the existence of the numerous small islands and bars with which this portion of the river is studded, and which, although covered at high water, are perfectly dry in the fall of the year.

The damming might be effected in two ways, either:—

1stly. So as to close the heads of the numerous slews and creeks through which the water at present runs, and thus drive it into one main channel; or,

Method of
damming.

2ndly. The water might be forced through a narrow channel, by the construction of wing dams at such points as might be necessary.

The actual method to be employed can only be decided on by inspection at low water, but as the river at this part is from 500 to 600 yards wide, I am of opinion that the forcing of so large a body of water through a comparatively narrow aperture would have the effect of deepening the channel to the necessary extent, without any excavation whatever.

From this point to the head of Harrison Lake, a distance by water of 40 miles, no obstruction whatever exists to the navigation. The lake, which is 34 miles in length, is bounded on either side by cliffs so rocky and precipitous in most places as almost to preclude the possibility of constructing a road along its margin, and the formation of a channel through the "shallows" of the Harrison River will in consequence be necessary as a preliminary step, to ensure constant communication with Douglas.

Harrison Lake.

A short narrow creek about half a mile in length connects the north corner of Harrison Lake with a smaller one, called at present "Lake Douglas," about $1\frac{1}{4}$ miles in length, and three quarters of a mile extreme breadth.

Douglas Creek.

At the lower end of Lake Douglas is a flat, shallow, gravelly bar, on which, although in summer time there is sufficient water to allow of the passage of steamers, there is not above 5 or 6 inches in winter.

Bar in Douglas
Creek.

There is also an extremely sharp bend in the creek, just below the bar, which is with great difficulty rounded by steamers even at the highest stage of the water, and which, at low water when the creek is not more than one-third of its present breadth, would in my opinion be impassable. I also think that the nature of the soil is such that even if a passage were cut through the bar, there would be every probability of a fresh deposit taking place, owing to the sharp bend immediately below, and coupling this opinion with that above expressed relative to the difficulty of turning the bend, I conclude that to ensure a constant steam communication with Douglas it would be necessary to cut a new and straight channel connecting Lakes Harrison and Douglas.

* These places have been incorporated into one map, which will be found at the end of these papers.

BRITISH
COLUMBIA.Douglas, its
situation.Objections to
site of Douglas.First Portage,
Trail from
Douglas to the
Four-Mile
House.Defects of
existing trail.Proposed
change in
route.

Stony plateau.

From Four-
Mile House to
Ten-Mile
House.
Detail of ex-
isting trail.

Defects.

Proposed
change in
route.

The town of Douglas is situated at the head of the lake, on ground which descends to the water at a considerable slope, and rises in rear of the town to a height of about 300 feet. This ground is a gully between two mountains, portions of chains which extend down either shore of the lake.

The town site is heavily timbered, with little or no land in its immediate vicinity which could be made use of for agricultural purposes.

Adding to these defects the fact of its being embosomed in hills, which render the mode of egress to the interior by-roads extremely difficult, and the insufficient depth of Douglas Creek, I deem it a very badly chosen spot for a town, and a poor terminus to what is likely to form the main road of communication with the Upper Fraser.

The "Lillooet Trail" starts from the western end of Douglas, and keeping to the left of the bed of the gully, ascends to a very considerable height (say 500 feet) on the side of the westernmost of the two mountains.

This portion of the trail is extremely bad.

The line of route that has been adopted is by no means the easiest that the nature of the country affords, and although a considerable ascent is unavoidable, I think that by adopting a line of route, which I shall presently describe, it need not rise to much more than half its present elevation. The bridges and corduroys are indifferent, and the road stony throughout, and in many places swampy for the want of small culverts and drains.

Few or no attempts have been made at regular grading, and the present trail rises in several places over spurs in the hill at grades impassable for any animals but mules, and barely so for them, descending as precipitously on the opposite side.

At about two miles from Douglas the trail reaches its greatest elevation.

It is then carried along on comparatively level ground for about half a mile, when, turning sharply to the right, it descends a steep hill to the bed of the ravine.

Crossing the ravine at a considerable elevation, it is carried along the slope of the opposite mountain for a short distance and then descends very precipitously by a zigzag path to a stony plateau about 40 feet above the level of the Lillooet River, running along this plateau for about half a mile by the side of the river till it reaches the Four Mile House.

In constructing a waggon road on this portion of the route I would suggest as follows:—

It being almost impossible, from the nature of the ravine in the immediate vicinity of Douglas, to carry the road along its bed, I would recommend that the existing line be adhered to for the first 900 yards, subject of course to such alteration regarding the precise spot of exit from the town as might be thought fit, and with any slight deviations that might improve the regularity of the grade.

On arriving at the First Corduroy (900 yards from Douglas) I would keep to the right, along the ravine which at this point is on the same level as the trail, thereby avoiding an ascent of 200 or 300 feet.

A road might easily be constructed along this ravine for upwards of two miles, subject to no great variation in level, and meeting the old trail at the crossing point, be continued on approximately the same line as far as the top of the steep descent to the plateau.

This hill is unavoidable and can only be made practicable for loaded waggons by long grading through stony and rocky ground at a very considerable expense.

On the "stony plateau" the trail winds most unnecessarily, and the construction of a straight waggon road would be a matter of no difficulty whatever.

On leaving the four mile house the trail is generally pretty good, though a much better and straighter line of road might be adopted by keeping along the river bank.

At about one mile from the house it leaves the river to the left and mounts an extremely steep and stony hill at a grade at present almost impracticable for waggons.

The ascent continues for about one mile, the descent to the river on the other side of the hill being equally as steep and precipitous as the ascent.

Rejoining the river about three miles from the house, and following it for about 300 yards, the trail again bends to the right and ascends a second hill longer than and equally as steep as the former one, descending to the plateau on which the Ten Mile House is situated at an average angle of about 30 with the horizon.

On this portion of the route the same general defects exist as on the first part, viz:—

A bad line of trail both in general direction and in detail.

Precipitous ascents and descents.

Indifferent bridges and corduroys.

A stony and irregular trail.

I would suggest the following changes in the route, my opinion being formed from an inspection of the places in question.

The road after leaving the Four Mile House should be carried along the river bank as far as the foot of the first hill. Then instead of bending away from the river, it should follow it round the base of the hill, meeting the present trail where it rejoins the Lillooet.

In this portion of the proposed new route there are two bad rocky places, each about 200 yards in extent, caused by spurs from the hill running down to the river, where a good deal of cutting and blasting would be necessary, but as the remainder of the route is good for a road I think this line would be far preferable to that over the mountain, which could not be made practicable for waggons except at an immense expense.

Where the old trail strikes the river again the two routes might coincide for 300 or 400 yards, and then instead of mounting the second hill I would adopt the same plan as before and follow the river round.

The road here, after going along an easy level plateau for about one mile, would strike a small tract where a number of successive spurs tolerably level on the top, but with ravines between them, run down to the river in a southerly direction. The difficulty might, however, be overcome by careful grading round the heads of the ravines.

This formation continues for about one-third of a mile, after which the road would emerge upon a broad and beautifully level plateau with little or no brushwood, and very light timber, much of which has been burnt.

BRITISH
COLUMBIA.

This flat, which I named in my plan the "Burnt Plateau," is about one mile in extent, and a good road along it might I think be made in two days by a party of 50 or 60 men.

Burnt plateau.

On arriving at the end of the "Burnt Plateau" I came to the "Glens" of the Lillooet river, and found that it would be absolutely impossible to continue the road along the bank, as the cliffs here run down to the water at a considerable angle with the horizon, and the huge boulders and fragments of rock which lie about and the danger that would be incurred from future slides in the cliffs preclude the possibility of so doing.

The glens of
the Lillooet.

If, however, the road be inclined to the right corner of the "Burnt Plateau," it can be carried up at a tolerable grade to another plateau, between the river and the existing line of trail, but on a much lower elevation than the latter.

By following this route, the additional advantage of an easy descent to the Ten Mile House Plateau would be gained, a point of great importance, as the existing descent is barely practicable.

For the first half a mile after leaving the Ten Mile House, the trail is very irregular. Several small ravines extend across the line of route to the river, and to diminish the steepness of the ascents and descents the trail is carried round the heads of the ravines.

Trail from
leaving Ten-
Mile House
upwards.

It also winds most unnecessarily on the level ground between them. Should a waggon road be made here I would recommend that it be cut straight through: there is plenty of timber at hand and bridges of from 40 to 60 feet span might be built across the ravines, which are only four in number.

After the first half mile a cutting in the side of a hill (which is, I think, unnecessary, there being a fine flat below) leads to a cedar bottom magnificently timbered. I cannot speak positively as to the advisability of carrying the road along the flat mentioned above, as although it was dry when I was there, the water of the Lillooet may have risen since sufficiently high to swamp it.

Cedar Bottom.

The "cedar bottom" is a little swampy in two or three places; this, however, is caused, not by the Lillooet river, but by small streams running down from the mountains, which frequently overflow and leave their natural beds, owing to obstructions caused by fallen logs, &c. This evil might be remedied by clearing proper channels for the rivulets, but I would suggest that a waggon road should keep to the right, on a higher line of level than the existing trail. In the "cedar bottom," which is about three quarters of a mile long and of an average breadth of 500 yards, the soil is very rich, but there is so much timber that I question its availability for agricultural purposes. At $1\frac{1}{2}$ miles from the Ten Mile House the trail ascends a short steep hill by a zigzag path, and is carried along the side of a small mountain for about half a mile on undulating ground, rising with one more steep ascent to the top of a level, well timbered and stony plateau, on a spur from the mountain.

The hills I fear cannot be avoided, as the banks run down steep to the very edge of the river. At three miles from the Ten Mile House it runs down the hill on the opposite side of the spur and crosses a broad ravine extending from the river to the mountains, and consequently unavoidable.

Crossing the ravine, it rises with a long ascent of one mile, varying in steepness, to a plateau on the summit of another spur. It is continued for half a mile along this plateau, and then descends a hill dreadfully stony, and so steep that it has been necessary in portions to zigzag the path to make it practicable for mules.*

A waggon road if constructed should be carried down the side of the first spur at a long and gentle grade, and having crossed the ravine should, instead of mounting the hill on the opposite side, be carried round the foot of the hill, by the river, on a much lower plateau than that on which the present route runs.

Proposed alteration in route.

Circumstances prevented my actually walking over the ground in question, but from what I saw myself and the information I collected, I think there would be no difficulty in adopting this line for the road.

Immediately on leaving the Sixteen Mile House the river "Acchuchlah" is crossed by a good substantial log bridge of 45 feet span. A short rise then leads to the top of a fine plateau about 30 feet above the level of the Lillooet river.

Sixteen-Mile
House.
River Acchuch-
lah.
Trail towards
Hot Spring
House.

The trail is carried along this plateau at distances from the river varying from 150 to 400 yards and there would be no difficulty in constructing a good waggon road on a much straighter line than the existing trail.

The plateau is $2\frac{1}{2}$ miles long and of an average breadth of 500 yards.

Timber abounds, chiefly hemlock pine, and the soil, though stony in some places, is generally good for cultivation. At the end of the plateau the trail descends a short hill to nearly the level of the river, and runs close to the water's edge for a short distance. I here passed a beautiful little patch of land about three acres in extent, abounding with roses and wild fruit, and which, if cleared, might easily be turned to some use.

On the opposite side of the "Lillooet" is a large Indian wigwam and fishing station, with a little clear land and some potato patches around it. The trail now for nearly a quarter of a mile is cut in the side of a stony hill which runs into the water, but as this hill is subject to frequent slides, which would render it a matter of considerable expense to keep a road thus cut in repair, I would suggest that a sea-wall of stones be built 5 or 6 feet out in the river (which is here very shallow) and a road made on the top. There are plenty of large stones at hand for this purpose, and I think it would be easier, cheaper, and generally more advantageous to construct a road in this manner than to make a regular cutting in the side of the hill.

After passing this hill I came to a long point which juts out to the left into the river, and at the extremity of which 200 yards from the trail are the great falls of the "Lillooet."

Falls of Lil-
looet.

The trail crosses this point on a good general line and rejoins the river about half a mile further up.

* On arriving at the foot of this hill, a level stony plateau, one mile long, leads to the 16-mile house, situated about 300 yards back from the river.

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It then follows the bank at distances varying from 5 to 100 yards from the river and about 15 feet above it, on a fine level plateau three-quarters of a mile long and 500 yards wide, with good rich soil, scanty timber, and little or no brushwood.

At the end of this plateau there is a very steep rise (zig-zagged) to a ledge on a high clay slate hill. The trail is carried along the side of this hill for about 200 yards, and then descends precipitously to the foot, whence a quarter of a mile tolerably level, but capable of great improvement, leads to the Hot Spring House.

This hill might be entirely avoided and a good road constructed round its foot with the aid of a little blasting.

Trail from Hot
Spring House.

On leaving the "Hot Spring House" the trail runs for one mile along a fine broad flat about 10 feet above the level of the Lillooet, following the bank for half a mile and then leaving the river which takes a bend to the left. This flat is rather rocky and the soil light and sandy. Hemlock and cedar abound, and there is very little underwood.

Moody's Look-
out.

At the end of this mile the trail branches to the right, and ascends a gorge between the mountain on the right and a high rocky bluff (named in my plan "Moody's Look-out") on the left. After reaching its highest elevation (about 150 feet) it runs on a comparatively level line along the top of the hill for about a quarter of a mile, and then descends a long steep hill to the river bank.

Proposed
change in
route.

This hill should be avoided, if a waggon road be made, by deviating to the left at the foot and following round the base. The ground is level and good throughout the greater part of the distance, the difficulties to overcome being about 100 yards of rocky ground, succeeded by a piece 20 yards long where the bluff rock runs nearly perpendicularly into the river. The first of these difficulties might be mastered by blasting, the second by the construction of a sea wall of the description proposed at the "Great Falls." Immediately after getting round the point the road would strike a fine level flat, continued to the point where the present trail rejoins the "Lillooet."

Schotscheen
river.

For the next mile the construction of a road is simple enough, and it might be made much straighter than the existing trail. A little careful grading would be necessary to descend into and rise from the valley of the River "Schotscheen," which runs too far back to be rounded, and is too broad to be bridged. This river is about 50 feet wide, and is crossed by a good bridge of 60 feet span. Another mile and a half of very good level trail, along a plateau by the river bank, varying in breadth from 150 to 300 yards, leads to a spot marked in my plan as "Camp" close to the foot of a long range of steep hills. The land thus far is all more or less good for cultivation, timber being rather scanty, and little or no brushwood. The soil is rather light and stony, but is, I think, available for agriculture. From the camp it is exactly 6 miles by the trail to the house at the southern end of "Tenass Lake," known as the "Twenty-eight Mile House," although in reality 34 miles by the trail from Port Douglas.

The Camp.
From the Camp
to the Twenty-
eight-Mile
House.

The mountains throughout the whole 6 miles run down to the water's edge, and the construction of a waggon road along their sides would be a matter of great difficulty, labour, and expense. There is no plateau whatever along which the road could be carried, and no possibility of avoiding, to any extent, the steep ascents and descents to which the present trail is subject.

Proposed
change in
route.

I think it therefore not only highly advisable, but positively necessary to cross the Lillooet River in the neighbourhood of "The Camp." I examined the river for the purpose of finding the best crossing place, and think that the most suitable spot is about 300 yards beyond the Camp.

Mr. Nicol, J.P., was kind enough, on a subsequent occasion, to walk down on the opposite side the whole way from the "lake" to "the Camp," and informs me that there is an excellent Indian trail along the river bank, easily convertible into a good level waggon road. The only obstructions are the rivers "Amockwa" and another, with two mouths, called in my plan "Delta R.," both of which would have to be crossed by bridges of 50 or 60 feet span. There is, in addition to the above, one rocky place to be passed, but this would be no great impediment to the construction of the road.

I have since had an opportunity (while I was descending the Lillooet in a canoe on my return) of examining portions of this part of the proposed new route, and am of opinion that it would be advisable in more ways than one, as, in addition to the advantage of having a level waggon road, there is a great deal of good agricultural land in the neighbourhood, which would thus be opened up for cultivation.

The trail is at present continued beyond the Twenty-eight Mile House as far as the southern end of Lake Lillooet, a distance of 8 miles.

I propose, however, by a method I shall presently describe, that the south end of Tenass Lake be made the terminus of the "First Portage," 8 miles of land transport over anything but a good road being thereby avoided.

Lower end of
Tenass Lake.

There is an excellent site for a town at the terminus of the new route I have proposed, and as a small one would be very likely to spring up at the junction of the land and water communications, this would be a further inducement to its adoption, there being no sort of site for a town at the terminus to the present trail.

Lakes Lillooet and Tenass are connected by a river about $1\frac{1}{2}$ miles in length, rapid, and towards the mouth very shallow. The difference of level between the lakes I ascertained to be 10 feet $6\frac{3}{4}$ inches on the 23d May 1859.

Proposed con-
nection of lakes.

By constructing a dam of the necessary height across the "Lillooet River," where it leaves "Tenass Lake," the water in the two lakes might be brought to the same level, and a permanent water communication thus established. This damming would have the effect of swamping portions of the flat land in the neighbourhood of the "Tenass River," but that at the terminus of the proposed route is too high to suffer in like manner. The dam might easily be constructed of logs, snags, and stones, plenty of which are at hand.

Possibly a permanent water communication between the two lakes might be effected by deepening the Tenass River at and near its mouth. As, however, I was not on the ground at the lowest state of the water, I cannot speak as to the extent of the portion that would have to be deepened, but from such information as I could collect, it would only be necessary to form a channel at and near its mouth. On

this part there is, I am told, but 6 inches of water in winter time, the remainder of the river being quite deep enough to admit at all times of the passage of steamers of the small class likely to be established on the lakes.

Thus far I have described such deviations from the existing line of trail as would be required, supposing it absolutely necessary to construct a waggon road on the left bank of the Lillooet from Douglas as far as "the Camp."

I am, however, of opinion that the site of Douglas is extremely badly chosen.

In addition to the defects I have already pointed out, I am informed by the Indians that Lake Douglas freezes in the winter, or remains so for some time, while the Harrison never freezes at all.

In the north-west corner of the latter lake, there is a high dry site for a town, accessible at all times to boats and steamers, and open to the valley of the Lillooet River. As a protection from the sea, which is sometimes rather rough for boats, a breakwater of snags might easily be constructed at the point shown in the plan, to form a small harbour, behind which they might lay in safety. By making this the terminus of the route, a constant steam communication with Queenborough could be established (the channel once open in the rapids of the Harrison River), and there would be this additional advantage, viz., that the flat land in the valley of the Lillooet would become opened up for cultivation.

Proposed new
site for Douglas

Its advantages.

From the cursory view I was enabled to take of the right bank of the river, during my rapid descent in a canoe, I am of opinion that from the Harrison Lake to the point opposite the plateau below the Sixteen Mile House, a road could be far more easily made along that bank than on the present route.

Not having actually walked over every portion of the ground, I cannot speak very decidedly on this point, but adding to the opinion I was enabled to form the fact that the old Indian trail runs along the right bank the whole way from the Harrison Lake to the Tenass Lake, and the well-known circumstance that the Indian trails throughout North America invariably follow the best line of travel through a wild country, I conclude that at least a great portion of the road should be carried along that bank.

I have accordingly come to the following opinions on this point, viz. :—

That the starting point of the route should be changed from Douglas to the north-west corner of the Harrison Lake.

Proposed new
road to Tenass
Lake.

That the waggon road be carried along the right bank of the Lillooet River, as far, if possible, as the point opposite the lower end of the plateau below the Sixteen Mile House.*

That the river be bridged here, and the road carried along the left bank as far as "the Camp," following the general direction of the present trail, subject, of course, to the deviation already proposed.

That the Lillooet be re-crossed at the point marked on the plan, and the road then constructed on the right bank of the river, and terminated at the south end of the Tenass Lake.

I may here mention that Sapper Breakenridge, who has since made a reconnaissance of the right bank from the Harrison Lake, as far as the point opposite the Four Mile House, reported to me, after going over both routes, that the one on the right bank, although rather swampy in some places, was far preferable to the existing one, and I think still better might be found by keeping further back from the river.

The distance by water from the south end of the Tenass Lake to the north-west end of Lake Lillooet is about 21 miles; the shores of both lakes being equally as precipitous as those of the Harrison.

Lakes Tenass
and Lillooet.

The town of Pemberton, which, when I was there, consisted of five or six houses, stands on a wretched rocky site in the northernmost corner of Lake Lillooet. At high stages of the water the town is accessible to boats, but in the winter a long flat bar of sand prevents their coming within 500 yards of it. From this place the second portage commences, known now as the "Birkenhead Portage;" nor is there any better starting point in the vicinity.

Pemberton.

The valley of the Upper Lillooet, which river runs into the lake at its western extremity, takes a westerly direction from the head of the lake. The river about 5 miles from its mouth divides into two, a large delta being left between the mouths, which in summer time is again divided in two by a creek.

Valley of the
Upper Lillooet.
Lillooet meadows.

On this delta, and particularly towards its western point, a few farming men have cultivated land, and there is also a large Indian village, surrounded by potato patches, &c. In the centre of each island is a small lake, and the ground for a considerable distance from their edges is swampy, but the banks are high and dry all the way round, contain good soil, and are covered with magnificent grass.

The trail on leaving Port Pemberton is carried over ground very similar to that at the back of Douglas, but in this case the ravine has been adhered to, and the hills are far less precipitous than those near Douglas. I was unavoidably compelled, both on my way up and on my return, to travel very rapidly over this portage, and consequently unable to make detailed field notes, or survey the route as accurately as I should have wished. The trail, which for the whole 24 miles runs through a natural pass in the Cascade range, is on the whole far better than that on the Douglas portage, and, with the exception of blasting round two or three rocky hills, no great deviation from the present route would be necessary, if *Port Pemberton be made the point of departure*.

Birkenhead
portage.

As, however, it might be necessary, in the event of this route being made the main channel of communication with the upper country, to establish a town of some size at the junction of the land and water communications, the site of Port Pemberton should in this case be abandoned.

There is a good site for a town near the mouth of the Mosquito River, which empties itself into the Upper Lillooet opposite the Indian village, on the westernmost of the Lillooet Islands. If, therefore, the bar at the mouth of the southern or main branch of the river were deepened sufficiently to admit at all

Proposed new
site for Pemberton.

* If impossible to carry it as far as the point proposed, there are several good crossing places along the river (one half a mile below the Four-Mile House), but the Port Douglas hill should by all means be avoided.

BRITISH COLUMBIA.	times of the passage of steamers, I would suggest that the town be established at the mouth of the Mosquito River, and the road run along the valley, striking the old trail at its junction with that river.
Its advantages.	The large valley of the Upper Lillooet would thus be opened up, and inducement given to farmers to clear and cultivate the land in the vicinity of this town, which might otherwise be neglected, in consequence of its remoteness from any main route of communication.
Summit Lake.	About 17 miles from Pemberton the trail runs along the shore of a small lake one mile long and half a mile broad.
	This lake, which is situated on the summit of "the Pass," is called "Summit Lake," and from either end there is a descent to the Fraser, that from the north by Anderson River, through Lakes Anderson and Seaton and the River Imkumtch, and that from the south end, by the Mosquito River through the Lillooet and Harrison Lakes.
Agricultural land in Cascade Pass.	After passing the Summit Lake, I crossed a tract of valley land two or three miles in extent, containing little timber, and good rich loamy soil, irrigable, if necessary, from Anderson River.
Grazing land near Anderson.	In the vicinity of Anderson and for some little distance down the eastern shore of the Lake there is plenty of good grazing land for sheep and cattle on the sides of the mountains, and I am informed that owing to the absence of briars &c., this part of the country is very well adapted for raising good wool.
Anderson. Its site and advantages.	The town of Anderson is situated as shown in the plan on the south-western end of Lake Anderson. The site, as regards its suitability both for a town, and a point of departure for steamers, is extremely good.
	The bank is high and dry, (about 15 feet above high water mark), timber plenty and fine, but not too much of it, the soil good, and the land for one mile in rear, flat and easily irrigable. A good jetty has been built by the men who have settled there and own the boats that convey passengers across the lake; and as the water is deep close in shore the port is accessible at all times to steamers.
Distance across lake.	From Anderson to the spot marked in my plan as "Wapping," which consists of one log house for travellers to sleep in is 14 miles by water.
The short portage.	The short portage connecting Lakes Anderson and Seaton, (1½ miles in length) commences here and terminates at the spot marked "Flushing."
Waggon road.	A Mr. Dozier, an American, who has established a waggon for conveying provisions across this portage, constructed a waggon road last year, connecting the two lakes, entirely at his own expense. The road is a very fair one, and as he has likewise constructed a neat and substantial bridge across the "Seaton River" of 60 feet span, I would suggest that, in the event of this becoming a permanent route, the by no means trivial service he has done to the colony be recognised. It will be seen on looking at the plan that it is necessary to cross the river as there is no starting place for boats or room for houses on the right bank at the Lake Seaton end.*
Land in vicinity of Short Portage.	The land on this portage is stony but colable. The timber is scanty but the brushwood thick, and there is a fine patch of rich land to the north-west of Flushing. Both that place and "Wapping" are admirably adapted for the points of departure of steamers, and as a site for small towns, if necessary.
Difference of level between lakes.	On the 30th of May I found the difference of level between the two lakes to be 59½ feet, a difference which would combine with the softness of the soil to render the construction of a canal of communication a matter of considerable difficulty. Several locks would moreover be necessary, and I question whether it would not be better to run the goods across the isthmus on a tramway which might easily be made from one jetty to the other.
Seaton.	At the eastern end of Lake Seaton, 14 miles by water from Flushing is situated the small town of Seaton. The houses are built on the beach, which is not more than 30 or 40 yards broad in the widest places, and immediately in their rear a steep bank about 100 feet high leads to a large diamond shaped plateau or bench, on which there is good grazing land for cattle (bunch grass), and very little timber. The site of Seaton possesses the same advantages as a point of arrival and departure for steamers, as the other places on these lakes, but there is no room to establish a town except on the top of the bench, which would, I think, be too far above the water.
Trial from Seaton to Walden's Bridge.	The trail winds round the point of the plateau at a steep rise, and on attaining a height of about 50 feet is carried along the side of the hill at an undulating level for about half a mile.
Forks of the Kayoosch and Imkumtch.	Here it emerges on a level and very stony plateau about one-third of a mile broad, bounded on the north by the "Imkumtch" and on the south by the "Kayoosch" Rivers. These rivers join in one about three-quarters of a mile further on, and the trail is carried along the plateau to within 100 yards of this point.
Packer's Bridge.	It then crosses the Imkumtch on a rough log bridge built last May by the Packers between Seaton and Kayoosch. A large rock in the bed of the river forms a natural pier for the support of the center of the bridge.
Trail from Packer's Bridge to Kayoosch.	For the next three-quarters of a mile the trail runs along the side of a stony mountain at a considerable elevation, on a small ledge cut for the purpose. This portion of the route is very dangerous, and, owing to the frequency of large slides in the mountain side, impassable for a waggon-road.
	Passing round the point of this mountain, the trail emerges on the level grassy bench land peculiar to this district of the Fraser, and running along this land for about 1½ miles at a very slight variation in level reaches the small town of Kayoosch, situated on the western bank of that river.
Bench-land on Fraser.	The benches in the vicinity of this portion of the Fraser, which are covered with "bunch grass," and in some places scantily timbered, would form excellent grazing lands for cattle, but the soil is, I think, too dry to be cultivated to any extent. There are two or three small rivulets running through the bench on which the town of Kayoosch is situated, which affords a supply sufficient for the wants of the present inhabitants, and for irrigating a small patch of about 10 acres on a lower bench in front of the town, now under cultivation, and I daresay more might be obtained by digging wells.

* The ground here is also marshy.

but water to any great extent is not to be had on the upper benches, either on the Kayoosch or the Fort Berens side of the Fraser.

The majority of the benches, although beautifully clear and level, are, I think, at two great an elevation above the Fraser River to be well adapted as sites for towns, that for instance on which Kayoosch stands being about 150 to 200 feet above the river. They vary in length from half a mile to $1\frac{1}{2}$ miles, and in breadth from 200 to 1,000 yards, the slopes connecting one bench with that above it, being generally at an angle of about 45° .

I was unable to procure any means of crossing to the southern bank of the Kayoosch, but I was able to see sufficient from the opposite side to convince me that, on that bank, at its junction with the Fraser, is the best site for a town in the neighbourhood. At this part a considerable flat, 300 or 400 yards wide, and about 20 feet above the level of the Fraser, (June 1st), extends some distance down the shore of the Fraser and up the Kayoosch.

Behind this flat and about 100 feet above it, is another extensive plateau, to which a town might be extended, while any amount of water power might be obtained in that portion of the town on the lower flat, by flowing from the "Kayoosch."

I suggest, therefore, that instead of crossing the "Imkumtch" at the Forks of that river and the "Kayoosch," the latter river be bridged at, or near the same point, whence an almost natural waggon road extends to the proposed town site on the right bank, a distance of 125 miles.

The trail from Kayoosch to the bank above French Bar requires no alteration whatever, extending along the flat benches at occasional slight changes in level for about $2\frac{1}{4}$ miles. It then runs down a frightfully steep bank to the "Bar," and as the remainder of the route both from this point to the mouth of Bridge River, and thence on to Mormon Bar is so bad as to render the construction of a waggon road barely possible, I will proceed at once to report on the best route to Fountain, that in my opinion the nature of the country will permit.

The Kayoosch should, I think, be bridged from the south, as near its mouth as practicable, and the waggon road carried round near the Fraser at the lowest possible elevation as far as French Bar.

Crossing the Fraser at a point on the bar, which will be found practicable where the river is only about 75 yards wide,* it should ascend the steep bank on the opposite side at a gentle grade, whence, with the exception of one place, subject to slides, the road to Fountain is generally good.

Fountain is situated on the left bank of the Fraser, on a large bench upwards of one mile in length, about 500 yards wide, and 700 or 800 feet above the level of the Fraser, to which the bank makes a direct steep descent.

One-and-a-half miles beyond the Fountain, a trail branches off to the southward and runs at the back of the range of mountains which skirts the left bank of the Fraser as far as the Forks of the Thompson's River. This trail is, I believe, the best and the shortest route from the Forks to the upper country; the country between Kayoosch and the Thompson affords every facility for the construction of a good waggon road on the right bank, though the existing one on the left bank is, I understand, very bad for a large portion of the distance.

Water to a considerable amount is procurable at Fountain, from a lake $2\frac{1}{2}$ miles back in the mountains, but, although a town on the flat might be of some importance in connexion with the branch roads to the Forks, Pavillon, and Kayoosch, the site is at too great an elevation above the Fraser to admit of the establishment of a town in connexion with any traffic that may, at a future period, take place on that river.

The land around and in the valley leading to the Forks is of the same nature as that around Kayoosch, viz.: excellent for grazing, but too dry in summer, unless well irrigated to admit of agriculture to any important extent.

In the Buonaparte Valley which extends from Pavillon to Fort Thompson there are, I understand, from 40 to 50 square miles of rich land fit for cultivation. In this valley too, there is a great deal of black marble, and limestones abound at Pavillon and in its neighbourhood.

With regard to Fountain I should add that a town there might at a future period be of importance in connexion with a road from Canada through the Buonaparte valley to Kayoosch.†

At the south end of Harrison Lake, about three-quarters of a mile to the south-east of the point where the river and lake join a hot spring called "St. Alice's Well" is situated.

The water, whose temperature on the 20th of May was 130° Fahrenheit, bubbles out of a small mass of conglomerate rock 6 inches above the then level of the lake.

It is highly sulphurous, but owing to my having been unable to procure a perfectly clean bottle and cork, the specimen I sent down to Victoria, proves, I regret, to be unfit for further analysis.

Another hot spring, somewhat similar to St. Alice's and of about the same temperature, though not so highly sulphurous, is situated about 60 yards north-east of the Hot Spring House, $23\frac{3}{4}$ miles by the trail from Douglas. By a subsequent cursory examination this water was found to contain chloride of sodium and sulphate of soda, but, owing to the impossibility of my procuring a perfect specimen, an accurate analysis could not be made.

As I thought a few particulars relative to the mines might prove useful, I collected such information *en route* from the miners, as might, I hoped, be depended on.

At French Bar, rockers were averaging from \$4 to \$8 per day to the hand, sluices, \$8 to \$16.

Mormon Bar, opposite Fountain, rockers \$4 to \$12: sluices, \$16 to \$25.

Days' Bar, 2 miles above Fountain, rockers, \$8 to \$12.

Haskell's Bar, 18 miles above Fountain, rockers, \$6 to \$12: sluices, \$16 to \$20.

Big Bar, rockers, \$5 to \$6.

Every sensible miner to whom I spoke on the subject, clearly admitted the existence of gold all along the banks of the Upper Fraser, in considerable quantities; in quantities too, that, were it not for the exorbitantly high prices of provisions and the want of good fresh meat and vegetables, would attract and retain thousands of miners who were then leaving the country.

Proposed site
for town at
mouth of
Kayoosch.

Proposed con-
sequent altera-
tion in route.

Trail from
Kayoosch to
French Bar.

Proposed trail
from Kayoosch
to Fountain.

Fountain.

Trail to the
Forks.

Fountain as a
town site.

Buonaparte
Valley.

St. Alice's
Well.

St. Agnes'
Well.

The mines.

* There is a rock about one-third of the way across covered at high water, but dry in the fall. On this rock a pier might easily be made.

† With reference to other interesting features in the route I would beg to call your attention to the following.

BRITISH
COLUMBIA.
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The great cry is for a waggon road, and cheap and good provisions, and these once obtained, there will be no further doubt as to the stay of the miners in the country.
Dry diggings have yet to be found and there is no doubt, will be found, as soon as men have heart and strength to prospect the country in every direction; but as long as bacon and beans are the sole articles of diet, few if any will be found with the heart or strength to do more than support themselves by mining for a few hours each day, much less to travel over such a wild country and such bad trails as they must do, in order to explore the districts in the vicinity of the Upper Fraser.

Prices of pro-
visions.

At Douglas the prices of provisions were as follows on the 11th June, viz. :—

Flour and Beans, each	- - - - -	64 cents per lb.
Sugar and Bacon	„ - - - - -	25 „
Coffee	- - - - -	28 „
Tea	- - - - -	75 „

The prices increase all along the route and were as follows at Fountain on the 5th June, viz. :—

Flour and Beans each	- - - - -	30 cents per lb.
Sugar and Bacon	„ - - - - -	65 „
Coffee	- - - - -	75 „
Tea	- - - - -	150 „

Geology.

Prices up to the end of May had been considerably higher (flour for instance selling at 38 cents,) but owing to the rapid exodus of the miners, were when I arrived falling fast.
From the cursory view I was enabled to take of the general geological character of the country “Trappean rocks” appear to prevail, consisting principally of greenstone, dense clay slate (here and there presenting a laminated structure) and compact hornblende. The exposed surfaces of the rocks are very generally covered with the white deposit due to the decomposition of felspar, and are occasionally stained red with iron, forming an agreeable contrast in the landscape. Quartz veins permeate the clay slate in many places, of an average thickness of from 1 to 12 inches; the formation in fact would suggest the high probability of metalliferous deposits.
The mountains rise bold, rugged, and abrupt, with occasional benches on their sides on which are found quantities of worn rounded boulders principally of coarse grained granite, occasionally porphyritic. The granite contains golden coloured and black mica in large quantities. The crystals of felspar in the porphyritic granite are very numerous but small.
The soil appears in many places to have been formed by the decomposition of granite, it being light and sandy and containing much mica.
Below the soil is very generally found a white compact mass, very hard and approaching to a conglomerate, containing pebbles of every description in a matrix of decomposed clay slate.
Lime seems wanting, even in the conglomerate, and I saw no traces of limestone or sandstone all along the route, though I understand there is plenty of the former at Pavillon.

Queenborough, B. Columbia,
July 1, 1859.
Colonel E. C. Moody, R. E.
&c. &c. &c.

I have, &c.
H. SPENCER PALMER,
Lieut. Royal Engineers.

TABLE showing the Astronomical Positions of important Points on the Route, as computed by
Lieut. H. SPENCER PALMER, R.E.

Station at	Latitude	Longitude	Absolute
	North.	in Time East of Queenboro'.	Longitude West.
	° ' "		° ' "
Queenborough - - - -	49 12 58	- - -	122 53 15
Mouth of Harrison River - - -	0 14 25	3 25.596	0 01 51
South end of Harrison Lake - - -	0 19 00	4 00.688	121 53 04
Douglas - - - - -	0 45 35	2 46.808	122 11 33
Ten-mile House - - - - -	0 52 41	2 12.972	0 20 03
South end of Tenass Lake - - -	50 03 00	1 10.445	0 35 38
„ Lillooet Lake - - - -	0 07 52	1 09.546	0 35 52
„ Pemberton - - - - -	0 17 32	0 40.240	0 43 11
„ Anderson - - - - -	0 32 13	1 11.872	0 35 17
„ Flushing - - - - -	0 42 25	2 02.356	0 26 39
„ Seaton - - - - -	0 40 18	3 10.146	0 05 43
„ Kayoosch - - - - -	0 41 51	3 22.753	0 02 33
Mouth of Bridge River - - -	0 45 33	3 17.753	0 03 48
„ Fountain - - - - -	0 44 44	3 27.508	0 01 22

(Signed) H. SPENCER PALMER,
Lieut. Royal Engineers.

TABLE OF DISTANCES.

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From	To	Distance by Land (trail) in Miles.	Distance by Water in Miles.
Queenborough Camp	Fort Langley	-	17·000
"	Mouth of Harrison River	-	47·700
"	South end of Harrison Lake	-	57·700
"	Douglas	-	92·700
Douglas	Four Mile House	4·047	—
"	Ten Mile House	11·852	—
"	Sixteen Mile House	18·911	—
"	Hot Spring House	23·881	—
"	The Camp	27·999	—
"	South end of Tenass Lake	34·000	—
Southend of Tenas Lake	South end of Lillooet Lake	-	6·650
"	Pemberton	-	21·130
Pemberton	Half-way House (2nd portage)	15·000	—
"	Anderson	29·000	—
Anderson	Wapping	-	14·000
Wapping	Flushing	1·45	—
Flushing	Seaton	-	14·000
Seaton	Kayoosch	3·700	—
Kayoosch	Mouth of Bridge River	4·200	—
"	Point opposite Fountain	6·500	—

Total from Queenborough to Fountain :—By land (trail) - - - 74·65 miles.
By water - - - 141·83 „

Entire distance, Queenborough to Fountain - - - 216·48 „

(Signed) H. SPENCER PALMER,
Lieut., Royal Engineers.

No. 24.

No. 24.

COPY of DESPATCH from Governor DOUGLAS, C.B., to the Right Hon.
Sir E. B. LYTTON, Bart., M.P.

(No. 207.)

Victoria, Vancouver's Island, August 23, 1859.

(Received October 10, 1859.)

(Answered No. 33, October 28, 1859, page 105.)

SIR,

HAVING been much occupied of late with the affairs of Vancouver's Island, I have not in my last Despatches adverted to the state of British Columbia. That Colony is making satisfactory progress.

2. The great enterprise of the season, the waggon road from Douglas through the valley of the Harrison River to the Upper Fraser, beyond the mountains, has been necessarily retarded by the withdrawal of the Royal Marines for service on the Island of San Juan; but the work is still being prosecuted by a detachment of Royal Engineers, under the command of Captain Grant. That force is, however, insufficient to make much impression this season on a work of such magnitude; winter will in all probability find us unprepared, and we shall have again to encounter the arduous task of feeding the mining population of the interior, by packing provisions on mules over the present road; a process so expensive as materially to add to the cost of living, and consequently notwithstanding their large earnings, the miners are, from positive inability to live, compelled in great numbers to abandon the country.

3. Money is greatly wanted for carrying on that indispensable work, which might be completed for the sum of 30,000/.

4. That sum I have no doubt could be easily raised by way of loan either in England or in this country, provided its repayment were guaranteed by Parliament, and I would beg to draw the attention of Her Majesty's Government to that subject in order to procure the necessary aid for accomplishing an enterprise worthy of our country, and removing the great impediment to the development of the mining regions of British Columbia. Its influence in promoting the prosperity of the country would be incalculably great, and it would lead to so large an increase of the public revenue as soon to repay the preliminary outlay.

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5. On the contrary, without such facilities of access, the country will have to struggle on amidst the discouragements of poverty and distress.

6. The mule road from Fort Hope to Boston Bar has been recently completed, and will be of great advantage to that district of the country.

7. Much is also required to be done in improving the road from Fort Yale by the passes of Fraser's River; in short, on all sides is the helping hand of Government urgently required in opening a free access into a country whose resources are probably greater than our most sanguine speculations ever contemplated. Every step in advance confirms that opinion, and reveals more distinctly the auriferous wealth of the country.

8. My advices from Fort Yale are up to the 17th of August. Mr. Commissioner Sanders reports that the miners are, almost without exception, doing exceedingly well, and in the newly discovered diggings at Quesnel's River, are making on the average one ounce of gold to the man per diem.

9. Those accounts are confirmed by numberless letters from persons in the interior to their former partners or friends in the Fort Yale district, exhausting all their powers of persuasion to induce them to join them at Alexandria.

10. Mr. Cox, a revenue officer employed in the district of Thompson's River, reports that the miners in that part of the country are making very large wages, and mentions that one company of five men were procuring by sluices an aggregate return of from 250 to 300 dollars a day; and others with the cradle were averaging each from 10 to 12 dollars a day.

11. The newly explored tract of mining country about Alexandria and Quesnel's River is reported to have more of the general features of a gold country than any yet known part of British Columbia. The miners appear fully satisfied on that point, and of the auriferous character of the soil in the valley of Fraser's River; already are hydraulic mining associations forming, who expect to derive considerable profit by that process, from benches and flats which cannot at present be worked to advantage for want of water.

12. The miners on Fraser's River have been much delayed this season by the high state of the water, which has now subsided, and they have resumed work with great spirit.

13. Ditch owners on the other hand have already felt the want of water, and complain that the streams from which they draw can hardly supply one-fourth of the usual and requisite quantity of water.

14. Much anxiety has been expressed by the miners generally on the subject of banks of deposit, which are greatly needed in every district of British Columbia. The miners only alternative at present being to bury his gold dust for security, which is known to be the general practice in Fraser's River; but were banks of deposit established, they would willingly pay a monthly per-centage on any sums they might deposit.

15. I have long been convinced of the value and importance of such institutions; but without the assistance of men of tried integrity and business habits, no such scheme could be carried out with advantage to individuals or to the public.

16. The country is everywhere in a perfectly tranquil state.

17. A body of nearly 100 gold miners sailed from this place on the 27th of July to explore the gold fields of Queen Charlotte's Island, and I trust this little band of pioneers will meet with the success their enterprise deserves. The expedition was equipped entirely at their own expense. I promised, however, to exempt the party from all taxes for six months to come, and to allow them certain privileges in respect to quartz claims, not inconsistent however with the provisions of the general mining regulations which I propose shortly to issue.

18. I also promised to protect them in the prosecution of their enterprise as far as the means at my disposal allow, and in fulfilment of that promise I have made a requisition on Rear Admiral Baynes, for the assistance of a ship of war to visit the place where they intend to form their settlement.

19. If that attempt proves successful the result will be highly important for the colony, and Queen Charlotte's Island, which abounds in minerals, and its coasts with fish, will soon become the resort of many flourishing settlements.

20. I am looking forward with great anxiety for the arrival of the two gunboats which Her Majesty's Government announced in your Despatch No. 30,* of the 10th March, it was intended to place at my disposal for the defence and protection of this colony.

* Vide papers
presented
August 1859,
page 81.

21. Those vessels would be of incalculable advantage to the country ; its coasts might then be explored, settlements formed, and protected from Indian violence, in a manner which with my present means is simply impossible.

22. The late numbers of the "Victoria Gazette"* are herewith transmitted for your information.

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Nos. 8 to 26 of
the Victoria
Gazette, July
12 to Aug. 23

I have, &c.
The Right Hon. Sir E. B. Lytton, Bart. (Signed) JAMES DOUGLAS,
&c. &c. &c. Governor.

No. 25.

No. 25.

COPY of DESPATCH from Governor DOUGLAS, C.B., to his Grace the Duke of
NEWCASTLE.

(No. 218.)

Victoria, Vancouver's Island, September 13, 1859.

(Received November 1, 1859.)

MY LORD DUKE,

I HAVE the honour to transmit herewith, for the information of Her Majesty's Government, copies of the following Proclamations which have been lately issued for the colony of British Columbia, *i.e.*

- (7.) Proclamation, dated 15th May 1859, for the naturalization of aliens in the colony of British Columbia, alluded to in my Despatch No. 167* of the 8th June last.
- (8.) Proclamation, dated 19th May 1859, for the relief of Her Majesty's subjects, entitled the "Oaths Act," 1859.
- (9.) Proclamation, dated 2nd June 1859, altering, in some respects, the act for levying duties of customs on imports into British Columbia.
- (10.) Proclamation, dated 15th June 1859, imposing tonnage, pilotage, and harbour dues at the Port of Queensborough, now New Westminster, British Columbia.
- (11.) Proclamation, dated 25th June 1859, amending the same.
- (12.) Proclamation, dated 10th August 1859, amending the laws relating to the licences for selling spirits, &c., and for other purposes.
- (13.) Proclamations, dated 31st August 1859, entitled the "Gold Fields Act," together with rules and regulations for working of gold mines, dated 7th September 1859.

* Page 20.

2. The "Aliens Act" confers upon such persons the privilege of holding and conveying real estate, and of being naturalized, within the colony, after a residence therein of three years, and is calculated in all its provisions to attach the alien to the country of his adoption, and through a sense of obligation to Her Majesty's rule.

3. The amended "Customs Act" imposes further duties:—

On tobacco, for purely revenue purposes.

On distilled liquors and spirits of all sorts, not only to increase the revenue but also with the view of reducing the disparity of cost to the consumer between the cheap American spirits, now largely imported from San Francisco, and the better qualities of spirits imported from Great Britain; and to encourage the importation of the latter.

On flour and other articles of food, entering largely into the consumption of the mining population, for revenue purposes. These articles were previously charged with a low specific duty, for the benefit of that class, who were then taxed through the act imposing a monthly mining licence fee, which is now repealed.

4. The "Spirit Licence Act" repeals all former acts for levying duties on the sales of wines and spirits.

The charge on spirit licences is reduced to a much lower sum, intended to compensate, in the case of keepers of licensed houses, for the increased customs duties levied on spirits.

5. The "Gold Fields Act," with the annexed rules and regulations, embraces the whole subject of gold mining, and provides very fully for contingent questions. Miners' rights are guarded with special care. As a class they are free from any direct taxes beyond the annual charge of 1*l.* for the free miners' certificate.

That document places them in a position of perfect security, with respect to mining claims, and secures to each free miner the right of voting at elections.

Mining boards, having a power to make byelaws, with the consent of the Gold Commissioner, may be formed whenever 100 or more registered free miners are found in any district.

It is also provided that the mining boards may be dissolved by the Governor, a power which it may, in certain cases, be necessary to use; at the same time the mining boards

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will be fostered and encouraged as long as they confine their influence to its legitimate object, that of improving the condition of the gold fields.

The other acts do not appear to require special notice, and, with those reported on, will I trust meet with your Grace's approval.

His Grace the Duke of Newcastle,
&c. &c. &c.

I have, &c.
(Signed) JAMES DOUGLAS,
Governor.

Encl. 1 in
No. 25.

(No 1.)

Enclosure 1 in No. 25.

PROCLAMATION.

By his Excellency JAMES DOUGLAS, Companion of the Most Honourable Order of the Bath, Governor and Commander-in-Chief of British Columbia.

Proclamation having the Force of Law in Her Majesty's Colony of British Columbia.

WHEREAS under and by virtue of an Act of Parliament, made and passed in the session of Parliament held in the 21st and 22nd years of the reign of Her Majesty Queen Victoria, intituled an Act to provide for the "Government of British Columbia," and by a Commission under the Great Seal of the United Kingdom of Great Britain and Ireland, I, James Douglas, have been appointed Governor of the said Colony, and have been authorized by Proclamation under the Public Seal of the said Colony to make laws, institutions, and ordinances for the peace, order, and good government of the same:

And whereas it is expedient to afford to aliens desirous of becoming naturalized British subjects, facilities for so doing, and also to afford greater security and facility in the possession and transferring of land, and for quieting of titles transmitted in part or in whole through aliens:

Now, therefore, I do hereby declare, proclaim, and enact as follows, viz:

1. Every alien now residing, or who may hereafter come to reside in the said Colony with intent to settle therein, and who shall have actually resided therein, or in the adjacent Colony of Vancouver Island, or partly in the one Colony and partly in the other, for a continuous period of three years, without having been, during any portion of that time, a stated resident in any foreign country out of Her Majesty's dominions, shall be entitled to procure himself to be naturalized in manner herein-after described.

2. Every alien desirous of becoming so naturalized, shall procure a declaration of residence and character, to be made and subscribed by some British subject in the form marked A. in the schedule hereto. Such alien shall, in the next place, make and subscribe a declaration of residence in the form marked B., in the said schedule hereto, and shall also take the oath of allegiance to Her Majesty and Her Successors, in the form marked C. in the said schedule.

3. Every such declaration and oath may be taken, made, and subscribed before any Justice of the Peace acting in any part of the Colony of British Columbia, or before any person appointed by Her Majesty to be a judge in British Columbia. Every such declaration and oath shall be forthwith delivered to such alien, with the certificate at the foot thereof, signed by such justice of peace, or by the registrar of the said judge, stating the compliance on the part of the said alien with the regulations herein-before contained.

4. It shall be lawful for the said alien to present all the said documents, properly subscribed and filled up as aforesaid, in open Court, on the first day of any assizes or general sittings of the Court of British Columbia, in any place in the said Colony. And all such documents shall be then read aloud in open Court, and it shall be lawful for the said Court, on the last day of the said assizes or general sittings, to order all the said documents and proceedings to be entered as of record in the said Court. And thereupon such alien shall be admitted and deemed, while within the said Colony of British Columbia, to be thenceforth a British subject to all intents and purposes whatever, and to hold, enjoy, and transmit all property, rights and capacities, in the same manner as if born within Her Majesty's dominions.

5. Any woman (not a British subject previously to her marriage) married to a British subject, whether by birth or naturalization, shall be deemed to be a British subject, naturalized as from the date of her marriage, or of her husband's naturalization, whichever event shall last happen.

6. The declarations herein-before referred to (the forms whereof are set forth in the schedule hereunto) shall be deemed to be made in accordance with the Act 5 & 6 Wm. 4. c. 62, for the abolition of unnecessary oaths; and any wilful false statement made therein shall be deemed perjury, and shall expose every person making such false statement, or procuring the same to be made, to all the penalties of perjury. And in addition to all such penalties, it shall be lawful for the said Court, on motion by the prosecutor, on any trial for perjury or subornation of perjury in respect of any such declaration, to declare null and void the naturalization based upon such false declaration; and thereupon all such steps shall be taken as shall be thought fitting by the said Court. Provided nevertheless, that nothing shall affect the rights of any other person, derived under the person whose naturalization is so annulled, unless such other person shall have been cognizant of the perjury at the time of acquiring the right.

7. There shall be paid to the justice of the peace before whom such declarations and oath as aforesaid shall be taken and subscribed, the sum of four shillings and no more for each such declaration and for such oath respectively; and by the registrar of the said Court for reading and recording the said certificate and documents, the sum of six shillings and no more; and for every copy of such documents the same amount as for an office copy of any judgment of the said Court. And all such fees shall be applied as any other fees payable to justices and registrars are applicable by law or custom.

8. Every alien shall have the same capacity to take, hold, enjoy, recover, convey, and transmit title to lands and real estate of every description, in this colony, as if he were, at the time of the passing of

this Act, a natural born British subject; and no person shall be disturbed in the possession or precluded from the recovery of any lands or real estate in this colony by reason only that some person from or through whom he may derive his title was an alien.

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9. This Act may be referred to in all legal proceedings as the Aliens Act, 1859.

Issued under the Public Seal of the said Colony, at Victoria, this 14th day of May 1859, in the Twenty-second year of Her Majesty's Reign, by me,

JAMES DOUGLAS. (L.S.)

By his Excellency's command.

WILLIAM A. G. YOUNG,
Acting Colonial Secretary.

GOD SAVE THE QUEEN.

The Schedule before referred to.

FORM A.

I, M.N. of do solemnly declare that I am a naturalized British subject (or British-born subject, as the case may be) and that I have known A.B. of a Prussian subject (or as the case may be) ever since and that the said A.B. has resided within the Colony of for a period of [three years or upwards], that he is a person of good character, and that there exists to my knowledge no reason why to the said A.B. there should not be granted all the right and capacities of a natural born British subject, and I make this solemn declaration conscientiously believing the same to be true, and in compliance with the provisions of the statute made and passed in the session of Parliament held in the 5th and 6th years of the reign of the late King William IV., intituled an Act for the abolition of unnecessary oaths.

Signed M.N.

Declared and subscribed by the said M.N., before me, in pursuance of an Act of the Imperial Parliament of the United Kingdom, 5 & 6 William IV. c. 62, and of the Proclamation of the 14th day of May 1859. And I hereby certify that to the best of my knowledge and belief, the said A.B. has complied with the requisite formalities specified in such Proclamation, entitling him to be naturalized as a British subject, and I know of no reason why he should not be so naturalized.

(Signed) J.P.

J. P. for British Columbia, residing at this day of 185 .

FORM B.

I, A.B. do solemnly declare that I have resided three years in this colony (or in this colony and the adjacent colony of Vancouver's Island, as the case may be) with intent to settle in this colony, and without having been during that time a stated resident in any foreign country. And I make this solemn declaration conscientiously believing the same to be true, and in compliance with the provisions of the statute made and passed in the session of Parliament, held in the 5th and 6th years of the reign of the late King William IV., intituled an Act for the abolition of unnecessary oaths.

(Signed) A.B.

Declared and subscribed before me, in pursuance of an Act of the Imperial Parliament of the United Kingdom, 5 & 6 William IV. c. 62, and of the Proclamation of the 14th day of May 1859. And I hereby certify that to the best of my knowledge and belief the said A.B. has complied with the requisite formalities specified in such Proclamation, entitling him to be naturalized as a British subject, and I know of no reason why he should not be so naturalized.

Signed J.P.

J. P. for British Columbia, residing at this day of 185 .

FORM C.

Oath of Allegiance.

I, A.B., do swear that I will be faithful and bear true allegiance to Her Majesty Victoria, of the United Kingdom of Great Britain and Ireland, and of the dependencies and colonies thereof in Europe, Asia, Africa, America, and Australasia, Queen, and that I will defend Her to the utmost of my power against all conspiracies and attempts whatever, which shall be made against Her Person, Crown, or Dignity, and I will do my utmost to endeavour to disclose and make known to Her Majesty, Her Heirs and Successors, all treasons and traitorous conspiracies which may be formed against Her or them. And I do faithfully promise to maintain, support, and defend to the utmost of my power the succession of the Crown, which succession by an Act intituled "An Act for the further Limitation of the Crown and better securing the Rights and Liberties of the Subject," is and stands limited to the Princess Sophia, Electress of Hanover, and the Heirs of Her Body, being Protestants, hereby renouncing and abjuring any obedience or allegiance unto any other person claiming or pretending a right to the Crown of the said realm and its dependencies and colonies as aforesaid, and I do declare that no foreign prince, person, prelate, state, or potentate hath or ought to have any jurisdiction, power, superiority, pre-

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eminence or authority, ecclesiastical or spiritual, within the same or any other part thereof. And I make this declaration upon the true faith of a Christian. So help me God.

(Signed) A.B.

Sworn and subscribed by the said A.B., before me, this day of 185 . And I hereby certify that to the best of my knowledge and belief, the said A.B. has complied with the requisite formalities specified in the Proclamation of the 14th day of May 1859, entitling him to be naturalized as a British subject, and I know of no reason why he should not be so naturalized.

(Signed) J.P.

Justice of the Peace for British Columbia, residing at this day of 185 .

Encl. 2 in
No. 25.

(No. 2.)

Enclosure 2 in No. 25.

PROCLAMATION.

By his Excellency JAMES DOUGLAS, Companion of the Most Honourable Order of the Bath, Governor and Commander-in-Chief of British Columbia.

Proclamation having the Force of Law in Her Majesty's Colony of British Columbia.

WHEREAS under and by virtue of an Act of Parliament, made and passed in the session of Parliament held in the 21st and 22nd years of the reign of Her Majesty Queen Victoria, intituled an Act to provide for the "Government of British Columbia," and by a Commission under the great Seal of the United Kingdom of Great Britain and Ireland, I, James Douglas, have been appointed Governor of the said colony, and have been authorized by Proclamation under the Public Seal of the said colony to make laws, institutions and ordinances for the peace, order, and good government of the same:

And whereas it may be doubted whether the provisions of an Act of the Imperial Parliament made and passed in the tenth year of the reign of His late Majesty King George IV., intituled "An Act for the relief of His Majesty's Roman Catholic Subjects," or of an Act of the Imperial Parliament made and passed in the 22nd year of the reign of Her most Gracious Majesty Queen Victoria, intituled "An Act to substitute one oath for the oaths of allegiance, supremacy, and abjuration, and for the relief of Her Majesty's subjects professing the Jewish Religion," and of another Act made and passed in the same year, intituled "An Act to provide for the relief of Her Majesty's subjects professing the Jewish Religion" are applicable to persons not subjects of Her Majesty: And whereas it is expedient to give relief to the consciences of all such persons, as well subjects of Her Majesty as aliens, and also to give relief to the consciences of all persons who shall be conscientiously unwilling to be sworn:

Now, therefore, I do hereby declare, proclaim, and enact as follows; viz.,

1. If any person called as a witness in any Court of Judicature, or required or desiring to take any oath or to make an affidavit or deposition, shall refuse or be unwilling from alleged conscientious motives to be sworn, it shall be lawful for the Court or Judge, or other presiding officer or person qualified to take such oath, affidavit, or deposition, upon being satisfied of the sincerity of such objection, to permit such person, instead of being sworn, to make his or her solemn affirmation or declaration in the words following; viz.,

"I, A. B., do solemnly, sincerely and truly affirm and declare, that the taking of any oath is, according to my religious belief unlawful, and I do solemnly, sincerely and truly affirm and declare," &c. &c.

Which solemn affirmation and declaration shall be of the same force and effect as if such person had taken an oath in the usual form, and shall in like manner infer the penalty of perjury in case of falsehood.

2. If any person professing the Roman Catholic religion shall be required by any lawful authority, or shall be desirous for any purpose to take the oath of allegiance to Her Majesty, Her heirs and successors, it shall be sufficient if he shall in lieu thereof take the oath in the form appointed and set forth in the 2nd section of the Act made and passed in the Parliament of the United Kingdom, held in the tenth year of His late Majesty King George IV. intituled "An Act for the Relief of His Majesty's Roman Catholic Subjects."

3. If any of the persuasion of people called Quakers, or any other person under this or any other law permitted to make his solemn declaration or affirmation in lieu of an oath, or any person professing the Jewish religion, shall at any time be required by any lawful authority, or shall be desirous for any purpose to take the oath of allegiance to Her Majesty, Her heirs or successors, or any form of oath containing the words "And I make this declaration upon the true faith of a Christian" the said words, "and I make this declaration upon the true faith of a Christian," shall be omitted in the form of oath to be taken or the declaration or affirmation in lieu of an oath to be made by such person. And the taking of every such oath, or the making of such affirmation and declaration with such omission as aforesaid shall have the same force and effect as the taking and subscribing by other persons of the oath containing the said words "and I make this declaration upon the true faith of a Christian."

4. This Proclamation may in all legal proceedings and documents be referred to as "The Oaths Act, 1859."

Issued under the Public Seal of the said Colony at Victoria, this 19th day of May, one thousand eight hundred and fifty-nine, in the Twenty-second year of Her Majesty's reign, by me,

JAMES DOUGLAS. (L.S.)

By Command of his Excellency.

WILLIAM A. G. YOUNG,
Acting Colonial Secretary.

GOD SAVE THE QUEEN.

Enclosure 3 in No. 25.

BRITISH
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(No. 3.)

PROCLAMATION.

By his Excellency JAMES DOUGLAS, Companion of the Most Honourable Order of the Bath, Governor and Commander-in-Chief of British Columbia. Encl. 3 in No. 25.

Proclamation having the Force of Law in Her Majesty's Colony of British Columbia.

WHEREAS under and by virtue of an Act of Parliament made and passed in the session of Parliament held in the 21st and 22nd years of the reign of Her Majesty Queen Victoria, intituled an Act to provide for the "Government of British Columbia," and by a Commission under the Great Seal of the United Kingdom of Great Britain and Ireland, I, James Douglas, have been appointed Governor of the said Colony, and have been authorized by proclamation under the Public Seal of the said Colony to make laws and institutions and ordinances for the peace, order, and good government of the same:

And whereas it is expedient to alter in some respects the rates of duties of Customs now leviable upon goods and other articles and things imported into British Columbia, and to make further provision for the levying thereof:

Now, therefore, I do hereby declare, proclaim, and enact as follows; viz.,

1st. All goods, animals, and articles not herein-after specifically charged with any duty of Customs, and not herein-after exempted from the payment of duties of Customs, shall on being imported into British Columbia be charged and chargeable with a duty of ten pounds for every one hundred pounds value thereof at the port of entry.

2nd. There shall be levied and paid on the goods, articles, and animals next herein-after mentioned the duties of Customs following; viz.,

Spirits and distilled liquors of all sorts, sweetened or otherwise, for every	s.	d.
imperial gallon of full strength or less than full strength of proof, by		
Sykes' hydrometer	-	6 3

And so in proportion for any greater strength than proof, or for any less quantity than one gallon.

Bulls, cows, oxen, horses, asses, and mules per head	-	-	4 2
Sheep and goats per head	-	-	2 1
Tobacco, viz., cigars and cheroots per 100	-	-	4 2
Tobacco, viz., snuff and other preparations per pound	-	-	0 6

3rd. The following goods, animals, and articles shall be admitted into British Columbia free of all duties, viz., Coin, fresh meat, fresh fruit, and fresh vegetables, poultry alive or dead, machinery for agricultural purposes, seeds and bulbs, and roots of plants to be used in agriculture and not as food, salt, printed and manuscript books and papers, and the baggage and apparel, household furniture and professional apparatus of passengers. And also, all goods, animals, and articles whatever imported for the public service or uses of the Colony of British Columbia, or for the use of Her Majesty's land or sea forces, or of any person holding any command or appointment in Her Majesty's forces aforesaid. Provided always, that all articles so excepted from duty as above mentioned, as being property of passengers or officers, shall be bona fide the property of such passengers and officers, and not intended for making a profit by the sale or hire thereof.

4th. From and after the 15th day of June now next, the port of Queensborough shall be the sole port of entry for all vessels entering Fraser River, and for all goods imported by sea into the ports of British Columbia adjacent to Fraser River. And all vessels desirous of clearing for any other port of British Columbia may thenceforth clear at Queensborough aforesaid for such ports as may for the time being be open for traffic: Provided, nevertheless, that until the said 15th day of June now next, all the duties hereby made leviable shall be ascertained, levied, and paid at Victoria, in Vancouver Island, in the same manner as heretofore has been used with respect to the duties now levied and paid, and the same shall be under the management of the Collector of Her Majesty's Customs for British Columbia; provided further, that all vessels desirous to clear for any port in British Columbia north of Fraser River, which may for the time being be open for traffic, may do so, clearing as heretofore at the port of Victoria aforesaid, paying nevertheless the full duties hereby charged and made leviable, and all such last-mentioned duties shall be paid to and under the management of the Collector of Her Majesty's Customs for British Columbia.

5th. The bill of entry and the declaration of the importer shall be according to the form prescribed for the entry of dutiable goods by the Act of the Imperial Parliament passed in the 16th and 17th year of Queen Victoria, entitled the "Customs Consolidation Act, 1853."

6th. All evasions and offences committed by any person or persons to defeat the payment of the duties hereby made payable on any goods imported into British Columbia will be prosecuted and punished in the manner prescribed by the said "Customs Consolidation Act, 1853."

7th. The expression "British Columbia" shall include the whole Colony of British Columbia with its dependencies as by law established.

8th. This proclamation shall take effect, and the duties hereby imposed shall be leviable upon any goods imported or attempted to be imported into British Columbia, from and after the 3rd day of June now next.

Issued under the Public Seal of the said Colony, at Victoria, this 2nd day of June, one thousand eight hundred and fifty-nine, in the Twenty-second year of Her Majesty's reign, by me,

JAMES DOUGLAS. (L.S.)

By Command of his Excellency.

WILLIAM A. G. YOUNG,
Acting Colonial Secretary.

GOD SAVE THE QUEEN.

BRITISH
COLUMBIA.Encl. 4 in
No. 25.

Enclosure 4 in No. 25.

(No. 4.)

PROCLAMATION.

By his Excellency JAMES DOUGLAS, Companion of the Most Honourable Order of the Bath, Governor and Commander-in-Chief of British Columbia.

Proclamation having the Force of Law in Her Majesty's Colony of British Columbia.

WHEREAS under and by virtue of an Act of Parliament made and passed in the session of Parliament held in the 21st and 22nd years of the reign of Her Majesty Queen Victoria, intituled an Act to provide for the "Government of British Columbia," and by a Commission under the Great Seal of the United Kingdom of Great Britain and Ireland, I, James Douglas, have been appointed Governor of the said Colony, and have been authorized by proclamation under the Public Seal of the said Colony, to make laws, institutions, and ordinances for the peace, order, and good government of the same:

Now, therefore, I do hereby declare, proclaim, and enact as follows; viz.,

1. From and after the 15th day of June now next there shall be levied, collected, and paid at the Port of Queensborough, in the said Colony, for the use of Her Majesty, Her heirs and successors, as and for tonnage, pilotage and harbour dues on all vessels clearing outwards at the said port for parts beyond sea, or entering inwards at the said port from parts beyond sea, and on the cargoes and contents of such vessels, the several sums mentioned in the Schedule hereto in respect of the particulars opposite to such several sums.

2. The fees for pilotage mentioned in the said Schedule shall be paid in full only where the vessel shall have actually made use of the services of a licensed pilot. Where a licensed pilot shall have offered his services to or hailed a vessel leaving or making for the said port, and his services shall have been declined, half the dues mentioned in the Schedule shall be payable by such vessel to such pilot. Where no licensed pilot shall have been employed or offered his services or hailed such vessel, or where such vessel carries on board as one of her crew a licensed pilot belonging to the said port, no pilotage shall be payable.

3. All moneys and dues hereby made payable may be paid to the Collector, who is hereby authorized to demand and enforce payment of all such moneys from the master of the vessel in respect whereof such moneys are payable, and to give full and complete receipts and discharges for the same.

4. In case of any dispute concerning any moneys hereby authorized to be levied and paid or the evasion or attempted evasion of the payment thereof, the amount payable shall be ascertained and recoverable under the provisions of the Customs Consolidation Act, 1853, so far as such provisions are from local circumstances capable of being applied, in the same manner as if the moneys hereby made payable were duties of Customs lawfully imposed.

5. From and after the 15th day of June instant the Proclamation of the 5th March last past, and every clause and provision therein, shall cease and be of none effect, save as to moneys and penalties recoverable, payable, and enforceable under the same Proclamation previously to the date hereof.

6. In the construction of this Proclamation and the Schedule hereto the expression "parts beyond sea" shall include any port upon or beyond the Gulf of Georgia or any of the inlets thereof; the expression "vessels" shall include canoes and boats; the expression "Collector" shall mean the Collector of Her Majesty's duties of Customs at the said port of Queensborough, or in his absence the person for the time being performing the functions of such Collector; and the port of Queensborough shall comprise all the waters, mouths, and channels of Fraser River between the deep water of the Gulf of Georgia and a line drawn due north and south through the eastern extremity of Tree Island.

Issued under the Public Seal of the Colony of British Columbia, this 15th day of June, one thousand eight hundred and fifty-nine, at Langley, in the said Colony.

JAMES DOUGLAS. (L.S.)

By Command of his Excellency.

WILLIAM A. G. YOUNG,
Acting Colonial Secretary.

GOD SAVE THE QUEEN.

The SCHEDULE above referred to.

	£	s.	d.
For every sailing ship or vessel above 30 tons register either entering or leaving the said port, per ton register	-	0	0 3
For every steam vessel either entering or leaving the said port, per ton register	-	0	0 2
For every vessel of and under 30 tons, including boats and canoes	-	0	7 6
For every passenger on board any vessel conveyed to or from parts beyond sea	-	0	4 0

Pilotage; viz.,

For every Vessel clearing for or entering from parts beyond sea; viz.,			
If less than six feet draught of water	-	5	0 0
If more than six feet and less than seven feet draught of water	-	5	10 0
And for every additional foot of water up to 12 feet	-	0	10 0
And for every additional foot of water above 12 feet	-	0	15 0

Inland Navigation; viz.,

Every steamer trading on the Fraser River, and not trading to any part beyond sea, per ton register per annum	-	0	2 0
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(No. 5.)

Enclosure 5 in No. 25.

BRITISH
COLUMBIA.

PROCLAMATION.

By his Excellency JAMES DOUGLAS, Companion of the Most Honourable Order of the Bath, Governor and Commander-in-Chief of British Columbia.

Encl. 5 in
No. 25.

Proclamation having the Force of Law in Her Majesty's Colony of British Columbia.

WHEREAS under and by virtue of an Act of Parliament made and passed in the session of Parliament held in the 21st and 22nd years of the reign of Her Majesty Queen Victoria, intituled an Act to provide for the "Government of British Columbia," and by a Commission under the Great Seal of the United Kingdom of Great Britain and Ireland, I, James Douglas, have been appointed Governor of the said Colony, and have been authorized by Proclamation under the Public Seal of the said Colony to make laws, institutions, and ordinances for the peace, order, and good government of the same:

And whereas by a Proclamation issued on the 15th day of June 1859 certain changes were made in the manner of levying, and the amount of clearance, pilotage, and other dues, and fees for British Columbia: And whereas some unavoidable delays have occurred in giving public notice of the intended changes thereby made:

Now, therefore, I do hereby declare, proclaim, and enact as follows; viz.,

1. The dues, moneys, and fees payable by the said Proclamation from the date therein mentioned shall, except as herein-after mentioned, be payable, ascertained, and recoverable from the 5th day of July 1859, according to the said method in the said Proclamation of the 15th day of June prescribed.

2. So much of the said Proclamation as prescribes a due for every passenger on board any vessel conveyed to parts beyond the sea is hereby repealed.

Issued under the Public Seal of the Colony of British Columbia, at Victoria, Vancouver's Island, this 25th day of June one thousand eight hundred and fifty-nine, in the Twenty-third year of Her Majesty's reign.

JAMES DOUGLAS. (L.S.)

By Command of his Excellency.

WILLIAM A. G. YOUNG,
Acting Colonial Secretary.

GOD SAVE THE QUEEN.

(No. 6.)

Enclosure 6 in No. 25.

Encl. 6 in
No. 25.

PROCLAMATION.

By his Excellency JAMES DOUGLAS, Companion of the Most Honourable Order of the Bath, Governor and Commander-in-Chief of British Columbia.

Proclamation having the Force of Law in Her Majesty's Colony of British Columbia.

To amend the Laws relating to the Licences for Selling fermented Liquors, and for the Occupation of Crown Lands by Traders, and for other purposes.

WHEREAS under and by virtue of an Act of Parliament made and passed in the Session of Parliament held in the 21st and 22nd years of the reign of Her Majesty Queen Victoria, intituled an Act to provide for the "Government of British Columbia," and by Commission under the Great Seal of the United Kingdom of Great Britain and Ireland, I, James Douglas, have been appointed Governor of the said Colony, and have been authorized by Proclamation under the Public Seal of the said Colony to make laws, institutions, and ordinances for the peace, order, and good government of the same:

Now, therefore, I do hereby declare, proclaim, and enact as follows; viz.,

I. The Proclamations of the 28th day of December 1857, and of the 8th day of February last, and the Regulations of the 30th day of December 1857, and of the 13th day of July 1858, shall, from and after the 31st day of August 1859, cease and be of none effect, save only as to any wrongs and penalties recoverable and enforceable under the said Proclamations or Regulations, or any of them.

II. From and after the 31st day of August 1859, there shall be payable and paid, by every person described in the Schedule hereto, in lieu of all sums heretofore payable in respect of all or any such matters, licences, and trades therein specified, the sums therein respectively mentioned, and therein set opposite to the said several matters, licences, and trades respectively, and the said Schedule shall be taken to be part of this Proclamation.

III. All moneys payable under this Proclamation shall be payable in advance.

IV. This Proclamation may on all occasions be cited as the "Licences Act, 1859."

Issued under the Public Seal of the said Colony, at Victoria, this Tenth day of August, one thousand eight hundred and fifty-nine, in the Twenty-third year of Her Majesty's reign, by me,

JAMES DOUGLAS. (L.S.)

By Command of his Excellency.

WILLIAM A. G. YOUNG,
Acting Colonial Secretary.

GOD SAVE THE QUEEN.

BRITISH
COLUMBIA.

The SCHEDULE above referred to.

By each person vending spirituous or fermented liquors by retail, for each house or place in the Colony where such vending is carried on, if in a town - - - - -	25 <i>l.</i> for one year.
Where such vending is carried on in a rural district not forming part of a town - - - - -	10 <i>l.</i> for one year.
By each person not having a retail licence as above, and vending spirituous and fermented liquors for wholesale, for each house or place in the Colony - - - - -	10 <i>l.</i> for one year.
By every person carrying on any other trade - - - - -	1 <i>l.</i> for every 3 months.
Such last-mentioned licence to enable the person paying the same to change his place or abode of business at pleasure, but not to carry on business at two places, at the same time, under one licence. And in case of partnerships, every partner carrying on business in the Colony, during any portion of a quarter, must take out a trading licence for that quarter.	
By every person occupying any Crown lands, by making any erections thereon, and carrying on any trade upon the same, in addition to the duties above charged, and for the use of the land so occupied by him -	10 <i>s.</i> for every month.

Encl. 7 in
No. 25.

(No. 7.)

Enclosure 7 in No. 25.

PROCLAMATION.

By his Excellency JAMES DOUGLAS, Companion of the Most Honourable Order of the Bath, Governor and Commander-in-Chief of British Columbia, Vice-Admiral of the same, &c. &c.

Proclamation having the Force of Law in Her Majesty's Colony of British Columbia.

WHEREAS under and by virtue of an Act of Parliament made and passed in the Session of Parliament held in the 21st and 22nd years of the reign of Her Majesty Queen Victoria, intituled an Act to provide for the "Government of British Columbia," and by a Commission under the Great Seal of the United Kingdom of Great Britain and Ireland, I, James Douglas, have been appointed Governor of the said Colony, and have been authorized by Proclamation under the Public Seal of the said Colony, to make laws, institutions, and ordinances for the peace, order, and good government of the same:-

And whereas by the "Licences Act, 1859," it was declared that from and after the 31st day of August 1859 the Proclamation of the 8th day of February last past, and the regulations and instructions therein mentioned and referred to, and bearing date respectively the 13th July 1858, the 28th December 1857, and the 30th December 1857 should cease and be of no effect:

And whereas it is expedient to make provision for regulating the law of gold mines in British Columbia in lieu of the provisions so repealed, and for the administration of justice therein.

Now, therefore, I, James Douglas, do hereby declare, proclaim, and enact as follows; viz.,

I. In the construction of this Proclamation the following expressions shall have the following interpretations respectively, unless there be something inconsistent or repugnant thereto in the context; viz., "The Governor" shall include any person or persons for the time being lawfully exercising the authority of a Governor of British Columbia.

The expression "Gold Commissioner" shall include Assistant Gold Commissioner and Justices of the Peace acting as Gold Commissioners either under special authority or the authority of this Proclamation, or any other person lawfully exercising the jurisdiction of a Gold Commissioner for the locality referred to.

The word "mine" shall mean any bar or separate locality in which any vein, stratum, or natural bed of auriferous earth or rock shall be mined.

The verb "to mine" shall include any mode or method of working whatsoever, whereby the soil or earth, or any rock may be disturbed, removed, washed, sifted, smelted, refined, crushed, or otherwise dealt with for the purpose of obtaining gold, and whether the same may have been previously disturbed or not.

"Claim" shall mean in speaking of individual persons so much of any mine as by law may belong or be alleged to belong to the individual spoken of, and in speaking of any partnership so much of any mine as may by law belong or be alleged to belong to the persons of whom the partnership shall exist, but shall not extend to a lease of auriferous land as mentioned in clause 11.

"Free Miner" shall mean a person named in and lawfully possessed of an existing valid Free Miner's certificate.

"Registered Free Miner" shall mean a free miner registered as entitled in his own right to any claim, lease of auriferous earth, ditch, or water privilege.

And words in the singular number shall include the plural, and the masculine gender shall include the feminine gender.

II. It shall be lawful for his Excellency the Governor by any document under his hand and the Public Seal of the Colony, from time to time to appoint such persons as he shall think proper, to be Chief Gold Commissioner or Gold Commissioners or Assistant Gold Commissioners in British Columbia, either for the whole Colony or for any particular district or districts therein, and from time to time in like manner to fix and vary the limits of such districts, and limit new districts, and to revoke any such appointments and make new appointments, and vary such limits and subdivide any such districts into separate and independent districts.

Interpretation
clause.

" Governor."

" Gold Com-
missioner."

" Mine."

" To mine."

" Claim."

" Free Miner."

" Registered
Free Miner."Gold Commis-
sioners to be
appointed by the
Governor under
the Public Seal.

III. It shall be the duty of every Gold Commissioner upon payment of 1*l*. to deliver to any person applying for the same, a certificate to be called a Free Miner's Certificate, which may be in the following form:—

BRITISH
COLUMBIA.Free Miner's
Certificate.

BRITISH COLUMBIA.
FREE MINER'S CERTIFICATE.

Date,

Not transferable.

No.

Valid for one year.

This is to certify that A. B. of _____ has paid me this day the sum of One Pound Sterling, and is entitled to all the rights and privileges of a Free Miner for one year from the date hereof.

(Countersigned) A. B.

(Signed) G. B.

(Signature of Free Miner.)

Chief Gold Commissioner, or Assistant
Gold Commissioner, or Justice of the
Peace, as the case may be.

IV. The Free Miner's Certificate shall continue in force for twelve calendar months from the date thereof, including the day of issuing the same, and no longer, and shall not be transferable or capable of conferring any rights upon any other person than the person therein named, and only one person shall be named as a free miner in each certificate To continue in force for one year.

Such certificate must be countersigned by the free miner therein named before being produced by him for any purpose. And where such certificate shall be issued to the free miner therein named in person, the Gold Commissioner or the person issuing the same shall cause the same to be countersigned by the applicant before himself signing or delivering the same. Must be countersigned by the free miner.

V. Every free miner shall, during the continuance of his certificate have the right to enter without let or hindrance upon any of the waste lands of the crown, not for the time being lawfully occupied by any other person, and to mine in the land so entered upon. Right to enter and mine.

VI. All persons who shall at the date of this Proclamation coming into force, or previous to the 27th of October 1859, hold any claim, ditch, or water privilege, must on or before the 1st of November, now next, and all persons who shall at any time after the 26th of October now next, hold any claim, lease, ditch, or water privilege must within such space of time after first taking possession thereof, as shall be fixed by the rules, regulations, or byelaws for the time being in force in the place or district in which such claim, lease, ditch, or water privilege shall be situated, register the same at the office of the Gold Commissioner, who shall record in a tabular form, in a book or books to be kept by him, the name of the holder, the dates of his certificate, of his taking possession, and of his recording the claim, the name of the mine, and the distinguishing number of the claim, and all such further particulars as shall from time to time be required by any valid byelaw for the place or district. And such registration shall be valid for the space of one year and no longer. Registration of claim annually.

Four shillings shall be taken by the Gold Commissioner for the use of Her Majesty, Her Heirs and Successors, upon every registration or re-registration of any claim; and no person not being a free miner shall be entitled to record a claim or any interest therein.

VII. Every free miner shall have during the continuance of his certificate the exclusive right to the soil and gold in any claim for the time being duly registered and worked by him according to the regulations and byelaws hereby authorized to be issued, and for the time being in force, in relation to the locality or district where such claim is situated. Free miners alone recognized as having any right in claims, &c.

No person shall be recognized as having any right or interest in, or to any claim or any of the gold therein unless he shall be, or in case of any disputed ownership unless he shall have been at the time of the dispute arising a free miner.

VIII. In case of any dispute the title to claims, leases of auriferous earth or rock, ditches, and water privileges will be recognized according to the priority of registration, subject only to any question which may be raised as to the validity of any particular act of registration. Priority of right shall be recognized according to priority of registration.

IX. Every Gold Commissioner at the time of issuing any free miner's certificate shall record the paper by date, number, and name of the free miner named therein, and whether such certificate was issued to such miner in person or on the application of another person, and the applicant's name, and shall on the 1st of January, 1st of April, 1st of July, and 1st of October in every year cause to be made out a revised list of all the free miners holding certificates issued by himself and still in force, and also of all free miners registered as holding claims in his district, and shall cause to be posted up in a conspicuous place on each mine in his district, a list of the free miners for the time being as holding registered claims in such mine. Records to be kept of the F. M. C. issued.

The Chief Gold Commissioner shall in like manner, on the 1st of January and 1st of July in every year, cause a revised list to be published of all the free miners in British Columbia. All such records and lists shall be open to the inspection of the public gratis, under such reasonable regulations as to hours or otherwise as the Gold Commissioner in each place or district may from time to time ordain.

X. In case any free miner's certificate shall be accidentally destroyed or lost, the same may, upon evidence of such loss or destruction, be replaced by a new certificate to bear the same date and to be issued and signed by the Gold Commissioner for the same district as such lost or destroyed certificate. Every such new certificate shall be marked "substituted for original of same date this _____ day of _____." And until some material irregularity or impropriety be shown in respect thereof, every original or substituted free miner's certificate shall be evidence of all the matters stated therein or clearly implied thereby. Lost certificates.

XI. Leases of any portions of the waste lands of the Crown may be granted for mining purposes, for such term of years, and upon such conditions as to rent and the mode of working, and as to any water privileges connected therewith, and otherwise in each case, as shall be deemed expedient by his Excellency the Governor. Leases of auriferous lands.

XII. In respect to any place or district wherein there shall for the time being be no Mining Board as herein-after described, or any separate mine within such place or district, it shall be lawful for his Excellency the Governor, by writing under his hand and the Public Seal of the Colony, from time to

Rules and regulations to be issued under the Public Seal.

BRITISH
COLUMBIA.

time to make rules and regulations in the nature of byelaws concerning all matters relating to claims and ditch and water privileges, and leases of the auriferous lands in the Colony in larger quantities than the claims herein mentioned or referred to, and for the registration thereof so far as such matters are not herein defined and set forth.

And also from time to time in like manner to annul, repeal, or alter any existing rule, regulation, or byelaw; and to make new rules, regulations, and byelaws in reference to all or any of such matters. And all such rules, regulations, and byelaws shall continue in force until repealed by the Governor by some writing under the Public Seal of the Colony, or by some valid byelaw established by the Gold Commissioner and Mining Board of some district under the provisions herein-after contained.

Gold escort
deposit.

XIII. It shall be lawful for his Excellency the Governor, by a notification under the Public Seal of the Colony, to make provisions for the custody and carriage of gold at and from and between such points as may be thought proper, and to establish such rates of charge for the carriage and custody of gold as shall be deemed expedient, and in like manner to change and alter any or all of such provisions and charges.

Custody to be
on the same
footing as post
office letters.

XIV. The custody and care of all deposits, whether for custody or transport so undertaken by or on behalf of the Government, shall be under the like responsibility as that under which letters are received and carried by the Post Office. And in case of any loss or dispute concerning any such deposit the property in the same may in any proceedings or suits or actions at law be stated as being in the Colonial Treasurer for the time being. And all clerks and persons employed by or on behalf of the Government, or acting in the capacity of being so employed in reference to any such deposit, shall in case of neglect or misfeasance, be liable in the same manner as if they had been clerks or acting as clerks in the Post Office, *mutatis mutandis*.

Jurisdiction of
Gold Commis-
sioners.

XV. And as to the power and jurisdiction of and proceedings before a Gold Commissioner, I do hereby enact, proclaim, and declare as follows; viz.,

Every Gold Commissioner shall have and exercise during his term of office all the authority and jurisdiction of a Justice of the Peace for British Columbia, in addition to his proper authority as Gold Commissioner. Any claim, mine, ditch, or water privilege situate, as to part thereof, within the express limits of same Gold Commissioner's jurisdiction, and as to other part thereof not within the express limits of any Gold Commissioner's jurisdiction, shall be deemed to be wholly within the jurisdiction within which any part of such claim, mine, ditch, or water privilege shall be situated. In the case of any claim, mine, ditch, or water privilege situate at more than a distance of ten miles from the office or any Gold Commissioner, any Justice of the Peace for British Columbia, although not otherwise specially empowered to act as a Gold Commissioner, is hereby authorized, or as the case may be, required to do any act herein authorized or required to be done by a Gold Commissioner.

And wherever the ditch or other property in respect whereof any question may arise shall be situated partly in one district and partly in another, or when it shall be doubtful within whose jurisdiction the same or any part thereof shall be totally situated, any Gold Commissioner in the neighbourhood before whom the complaint or matter shall be first brought shall have jurisdiction. In every case in which a Justice of the Peace not being also a Gold Commissioner shall act as a Gold Commissioner under this clause, he shall with all convenient speed communicate the particulars of his acting to the Chief Gold Commissioner, and if there shall be no Chief Gold Commissioner, then to the nearest Gold Commissioner.

All mining dis-
putes may be
decided by the
Gold Commis-
sioner without
limit in value.

XVI. All disputes relating to the title to any mine or claim, or to any part of the proceeds thereof, or relating to any ditch or water privilege, or to any contract for labour to be done in respect of a ditch or water privilege, mine, or claim, or relating to the mode of carrying on the same, or any of them, and all disputes concerning partnerships in any mine or claim may be investigated, in the first instance, before the Gold Commissioner having jurisdiction as aforesaid, without any limit to the value of the property or subject-matter involved in such dispute.

Except in cases
of partnerships.

XVII. Provided always, that no Gold Commissioner shall have jurisdiction in civil disputes between partners, unless it shall, in the first place, be shown to his satisfaction that the joint stock of the partnership is under the value of 200*l*.

Appeal to the
Supreme Court
in B. C. in cri-
minal and sum-
mary cases.

XVIII. Any person convicted under this Proclamation of any offence against the same or any byelaw, rule, or regulation hereby authorized, and sentenced to any term of imprisonment beyond thirty days, or to pay any fine beyond 20*l*. over and above the costs of summary conviction, may appeal to the next assizes to be holden for the district or place wherein the cause of complaint shall have arisen, provided that such person, at the time of such conviction, or within forty-eight hours thereafter, enter into recognizance with two sufficient sureties, conditioned personally to appear at the said assizes to try such appeal, and to abide the further judgment of the Court at such assizes, and to pay such costs as shall be by such last-mentioned Court awarded. And the convicting Gold Commissioner may bind over any witnesses or informant, under sufficient recognizances, to attend and give evidence at the hearing of such appeal, and the costs of such witnesses shall be allowed and paid by the Colonial Treasurer in the first instance, and, if such appeal be dismissed, shall be repaid to the Colonial Treasurer by the appellant.

No merely for-
mal objections
allowed.

XIX. On any such appeal no objection shall be allowed to the conviction on any matter of form or insufficiency of statement, provided it shall appear to the said Supreme Court that the defendant has been sufficiently informed of the charge to be made against him, and that the conviction was proper on the merits of the case.

Appeal in civil
cases over 20*l*.

XX. If either party in any civil cause where the subject-matter in dispute is more than 20*l*. shall be dissatisfied with the determination, he may appeal from the same to the Supreme Court of Civil Justice in British Columbia, provided that the appealing party shall, within four days of the determination appealed from, give notice of such appeal to the other party, and also give security, to be approved by the Gold Commissioner, for the costs of the appeal, and also for the amount payable by the appealing party under the judgment appealed against. And the said Court of Appeal may either order a new trial on such terms as it shall think fit, or order judgment to be entered for either party, or try the cause *de novo*, and may make such order as to the costs of the appeal as such Court shall think proper, and such appeal may be in the form of a case settled and signed by the parties or their attorneys, and if they cannot agree,

the said Gold Commissioner may settle and sign the same upon being applied to by the parties or their attorneys.

XXI. In any case of any cause relating to a mine, claim, or ditch being brought in the first instance before the Supreme Court of Civil Justice of British Columbia, wherein the sum of damages sought to be recovered shall be less than 50*l.*, it shall be lawful for the Court, after issue joined, to direct the cause to be tried before any Gold Commissioner whom the Court shall name, and upon such terms as the Court shall think fit.

XXII. The Gold Commissioner alone without a jury shall be the sole judge of law and fact.

XXIII. The Gold Commissioner shall have the power to cause such parties and witnesses as he shall think proper to attend on any proceedings before him, and to compel the production of documents on any such proceedings.

XXIV. The Judge of the Supreme Court of Civil Justice shall, with the advice and consent of the Chief Gold Commissioner or of any two Gold Commissioners, have the power, from time to time, to make, repeal, and alter such rules and regulations for the conduct of the business before the Gold Commissioners for the times of proceeding, and also such lists of costs of proceedings as he shall think fit: Provided always, that all such rules, regulations, and lists of costs shall, within one calendar month from the making thereof, be laid before his Excellency the Governor.

And it shall not be necessary for the Gold Commissioner in any proceedings before him to follow any set forms, provided that the substance of the things done and to be done be therein expressed; nor shall any proceedings before any Gold Commissioner be liable to be set aside for any want of form, so long as matters of substance have not been omitted.

XXV. It shall be lawful for a Gold Commissioner in case of any dispute between partners in any claim, ditch, mine, or water privilege, where the joint or partnership stock shall be shown not to exceed the value of 200*l.*, but not in other cases, to decree a dissolution of partnership and a sale or valuation or division of the partnership stock, and to direct the partnership account to be taken before himself, and declare what amount, if any, is due on the whole account by one partner to another, and generally to make such order and give such directions therein as he shall think fit, and to take such steps (if any) as he may deem expedient in the way of taking security, or appointing a receiver or otherwise for securing the partnership property in the meantime.

XXVI. It shall be lawful for any Gold Commissioner, upon complaint made of any wrongful encroachment on a claim, mine, ditch, or water privilege, and deposit made of 2*l.* in his hands by the complainant, to proceed forthwith to the place at which such alleged encroachment has been made, and there and then to demand the like sum of 2*l.* from the party complained of, and thereafter, on view of the premises, and on such evidence as to such Gold Commissioner shall seem sufficient, to hear and determine the dispute in a summary way, and whether all parties in difference shall appear or not, and in a summary way to cause such encroachment to be abated, and to restore to the person who shall appear to be entitled thereto full possession of the claim, ditch, or other matter encroached upon, or alleged so to be, and also all gold or other property (if any) which may have been unlawfully taken or removed. And also to award such damages as the nature of the case shall seem to require. And if each party shall have deposited the said sum of 2*l.*, he shall restore the said sum of 2*l.* to the party whom he shall judge to have been in the right, and retain the other 2*l.* as and for costs of court, and if either party make default in appearance the Gold Commissioner may make such order as to costs as shall seem to him proper.

Provided always, that it shall be lawful for the Gold Commissioner, if in his discretion the matter shall not be made clear for a final determination, to take such steps as he shall then think necessary for the preservation of the matter in dispute, and to adjourn the final decision of the case until such time as he shall think proper.

XXVII. It shall be lawful for the Gold Commissioner to mark out for the use of any registered free miner in his district a space of land not exceeding five acres, to be occupied as garden ground or for a residence. The right conferred by such occupation shall only endure so long as the occupier shall be a registered free miner of the district, and for such further period as shall be requisite for the enjoyment of any crop standing thereon at the period when he shall cease to be a registered free miner.

And for attending and marking out such land, whatever be the size, the Gold Commissioner shall be entitled to demand the sum of ten shillings for the use of Her Majesty, Her heirs and successors.

XXVIII. It shall be lawful for the Gold Commissioner to mark out for the use of any person intending to carry on temporarily any trade on or near a mine, a plot or plots of waste Crown land convenient for that purpose, and also for garden purposes, not being larger than one acre. There shall be thereby conferred enjoyment for so long as such trader shall pay all licence duties in respect thereof, and also the right to any crop standing thereon at the last payment of licence duties.

Provided always, that the land on or near any mine so marked out for any of the purposes mentioned in this or the last section shall always be resumable by the Crown, and applicable to general mining purposes, on six months' notice thereof being given by the Gold Commissioner to any occupier thereof.

And as to mining boards, I do enact, proclaim, and declare as follows; viz.,

XXIX. Upon petition signed by not less than one hundred and one registered free miners in any district, having been on the register of such district for at least three months previous to signing such petition, and holding *bond fide* claims not abandoned nor forfeited, and upon a certificate from the Gold Commissioner of such district testifying to the number and good faith of the petitioners, it shall be lawful for his Excellency the Governor, by a notification under his hand and seal, to direct the Gold Commissioner acting in and for such district to constitute therein a local board, to be called "The Mining Board," in the manner and with the powers herein-after expressed.

XXX. The Mining Board shall consist of not less than six nor more than twelve of the general body of the voters of such district, according to the following scale, viz.; if there shall be not more than one hundred and fifty voters, then the Mining Board shall consist of six members; and for every complete number of fifty voters beyond the first one hundred and one, the Mining Board shall comprise one additional member, but not so as to consist of more than twelve members.

Cases under 50*l.* may be referred to the Gold Commissioner.

Gold Commissioner to be judge of law and fact.

Power to summon witnesses.

Forms of proceedings, costs, &c.

Jurisdiction as to mining partnerships

Summary power to abate encroachments, &c.

Costs.

Gardens, &c for free miners, not more than five acres.

Plots for traders, not more than one acre.

Mining Boards, Constitution of.

Six to twelve members, according to the number of registered free miners.

BRITISH
COLUMBIA.Voter's qualifi-
cation.Gold Commis-
sioner to be re-
turning officer,
&c.Vacancy of
membership.Three to retire
annually.Elections to
take place in
January.Power to make
byelaws, &c.,
which must be
approved by
the Governor.

Evidence.

Majorities.

Mode of con-
ducting pro-
ceedings.Power to the
Governor to
dissolve any
mining board.Interim acts to
continue not-
withstanding
dissolution.Irregularities
not to affect
such Acts.Certain
offences.
Felony.Summary
power in cases
of disobedience.

Short title.

The members shall be elected by the votes of the registered free miners of the district who shall have been on the register during three months at the least previous to the election, each voter to have as many votes, and no more, as there are members of the board to be elected or vacancies to be filled up, which he may distribute among the candidates as he may think fit.

XXXI. The votes of the electors shall be given by word of mouth, and in person, by the voter. The Gold Commissioner of the district shall be the receiver and examiner of votes, and the returning officer; and the first election shall take place on such day as his Excellency the Governor may appoint.

The Mining Board shall meet together at such intervals as shall be appointed by the Gold Commissioner, and it shall be competent for three or more members meeting together to proceed to the dispatch of business.

XXXII. If any member shall cease to be a registered free miner in the district, or shall be convicted of any misdemeanor or felony, or of any assault, being armed with a lethal weapon, or of any wilful and malicious contravention of this Act, or of any byelaw in force in the district, he shall ipso facto vacate his seat in each case, and not be re-eligible, save that a member vacating his seat only by reason of ceasing to be a registered free miner shall be again eligible at any time upon his again becoming entitled to vote.

Three members of the Board, or so many members as, together with the vacancies caused as afore-said, shall make up three members, shall retire annually, by lot, or agreement, or seniority. Retiring members shall be immediately re-eligible.

XXXIII. All vacancies in the Board shall be supplied, and the full number of members for the time being due to the district according to the tariff aforesaid, shall be made up at a general election, to take place on such day in the month of January in each year as his Excellency the Governor shall from time to time, by notice under the Public Seal of the Colony, direct.

XXXIV. The Mining Board shall, subject to the provisions hereof, have power by resolution to make byelaws, and also from time to time to alter and repeal any existing byelaws for regulating the size of claims and sluices, the mode in which claims may be registered, worked, held, and forfeited, and all other matters relating to mining matters in their district: Provided that no such new byelaw, repeal, or alteration shall be of any force unless and until it shall have been approved of by his Excellency the Governor.

Provided further, that every such byelaw, repeal, or alteration, being duly made and approved, and not being contrary to the Statute or Common Law, and not being contrary to natural equity, shall be admitted in all Courts of British Columbia as a good local law, and a copy thereof extracted from the bye-laws, and purporting to be signed by the Gold Commissioner of the district, shall be good evidence thereof, and that the same have been lawfully made and were in full force at the time in such copy or extract in that behalf specified.

XXXV. Any resolution of such Mining Board and Gold Commissioner may be passed by a bare majority of the members of such Board, if the Gold Commissioner shall consent thereto, or by two-thirds of the members of such Board if the Gold Commissioner shall not consent thereto. The Gold Commissioner shall, within seven days of the passing of any resolution concerning any byelaw or general regulation which he shall on any grounds deem expedient to lay before his Excellency the Governor, make and send to his Excellency a fair copy thereof, signed by such Gold Commissioner, with his opinion thereon.

XXXVI. The votes on all resolutions of the Mining Board shall be given by the members personally, and by word of mouth.

All questions of order and of the time and manner of conducting the business at such Mining Board, and of the times and places of meeting after the first meeting thereof, and of the propriety of elections and qualifications and disqualifications of members subject hereto, may be decided by the Gold Commissioner, either from time to time, as any question shall arise, or by any fixed rules and orders as may be thought advisable, and which such Gold Commissioner is hereby authorized to make by writing under his hand and seal.

XXXVII. It shall be lawful for his Excellency the Governor, by an order the Public Seal of the Colony, at any time to declare the Mining Board in any district dissolved, as from a day to be named in such order, and if no day be therein named in that behalf, then as from the date of such order. And from and immediately after such dissolution the power to make and repeal byelaws, rules, and regulations shall immediately be vested in the Governor, in the same manner as if such Mining Board had never been constituted.

Provided always, that notwithstanding any such dissolution all bye-laws and working rules and regulations (if any), and all other acts (if any) made, done, and established in the meantime, under the authority of this Proclamation, shall be valid until the same be altered or repealed by the Governor by some order under the Public Seal of the Colony.

XXXVIII. The acts of any Mining Board previous to such dissolution, if sanctioned as aforesaid, shall be valid, notwithstanding any informality or irregularity in the mode of election, or of meeting of such Mining Board, or in the passing of any of such Acts.

XXXIX. Any person who shall wilfully and maliciously damage or destroy any free miner's certificate, or fraudulently fill up, or post date, or alter any name or date or other particular in a free miner's certificate, or in any document purporting to be a free miner's certificate, or who shall falsely pretend that he is the person named in any such certificate or document, or who shall wilfully and maliciously damage, destroy, or falsify any of the records and registers hereby directed to be kept, shall be guilty of felony, and being duly convicted thereof shall be liable, at the discretion of the court, to penal servitude for not more than ten years.

XL. Any person wilfully or unlawfully acting in contravention of this Act, or of any byelaw, rule, or regulation to be established by virtue of this Act, or refusing to obey any lawful order of the Gold Commissioner, shall, on being summarily convicted before any Justice of the Peace or Gold Commissioner, be liable to a fine not exceeding 50*l.*, or to an imprisonment not exceeding three months.

XLI. This Proclamation may in any proceedings be referred to as the "Gold Field Acts, 1859."

XLII. This Proclamation shall come into force as to Queen Charlotte's Island on the 1st of January 1860, and as to the rest of British Columbia on the 1st of September 1859.

BRITISH
COLUMBIA
—
Commence-
ment of Act.

Issued under the Public Seal of the Colony of British Columbia, at Victoria, Vancouver's Island, this Thirty-first day of August, in the year of our Lord one thousand eight hundred and fifty-nine, in the Twenty-third year of Her Majesty's reign, by me,

JAMES DOUGLAS. (L.S.)

By Command of his Excellency.

WILLIAM A. G. YOUNG,
Acting Colonial Secretary.

GOD SAVE THE QUEEN.

Enclosure 8 in No. 25.

Encl. 8 in
No. 25.

RULES and REGULATIONS for the Working of Gold Mines.

Issued in conformity with the Gold Fields Act, 1859.

WHEREAS it is provided by the Gold Fields Act, 1859, that the Governor for the time being of British Columbia may, by writing under his hand and the Public Seal of the Colony, make rules and regulations in the nature of byelaws for all matters relating to mining: Now, therefore, I, James Douglas, Governor, &c., do hereby make the following rules and regulations accordingly:

I. In the construction of the following rules and regulations, unless there be some contrariety or repugnancy thereto in the context, the words "Governor," "Gold Commissioner," "Mine," "to mine," shall have the same meanings as in the Gold Fields Act, 1859. The expression "Bar diggings" shall mean every mine over which a river extends when in its most flooded state. "Dry diggings" shall mean any mine over which a river never extends. "Ravines" shall include watercourses whether usually containing water or usually dry. "Ditch" shall include a flume or race, or other artificial means for conducting water by its own weight into or upon a mine. "Ditch head" shall mean the point in a natural watercourse or lake, where water is first taken into a ditch. And words in the singular number shall include the plural, and the masculine gender shall include the feminine.

II. All claims are to be, as nearly as may be, in rectangular forms, and marked by four pegs at the least, each peg to be four inches square at the least and one foot above the surface, and firmly fixed in the ground. No boundary peg shall be concealed or moved or injured without the previous permission of the Gold Commissioner.

III. The size of a claim, when not otherwise established by a byelaw, shall be, for bar diggings, a strip of land 25 feet wide at the mark to which the river rises when flooded, and thence extending down direct into the river indefinitely. For dry diggings, a space 25 feet by 30 feet. For ravine diggings, a space of 25 feet along the bank of the ravine and extending up to the top of each bank. In quartz claims the size, when not otherwise established by byelaw, shall be 100 feet in length, measured along the vein or seam, with power to the miner to follow the vein or seam and its spurs, dips, and angles, anywhere on or below the surface included between the two extremities of such length of 100 feet, but not to advance upon or beneath the surface of the earth more than 100 feet in a lateral direction from the main vein or seam, along which the claim is to be measured. All measurements of area are to be made on the surface of the earth, neglecting inequalities. Every claim is to have a distinguishing number marked on its boundary pegs.

IV. If any free miners, or party of free miners, shall discover a new mine, and such discovery shall be established to the satisfaction of the Gold Commissioner, the first discoverer or party of discoverers, if not more than two in number, shall be entitled to a claim double the established size of claims in the nearest mine of the same description (i.e. dry, bar, or quartz diggings). If such party consist of three men, they shall collectively be entitled to five claims of the established size, on such nearest mine, and if of four or more men, such party shall be entitled to a claim and a half per man. A new stratum of auriferous earth or rock, situate in a locality where the claims are abandoned, shall for this purpose be deemed a new mine, although the same locality shall previously have been worked at a different level. And dry diggings discovered in the neighbourhood of bar diggings shall be deemed a new mine, and *vice versa*.

V. The registration of claims shall be in such manner and form as the Gold Commissioner shall in any locality direct, and shall include, besides the matters mentioned in the Gold Fields Act of 1859, all such other matters as the Gold Commissioner shall think fit to include.

VI. No transfer of any claim or any interest therein shall be enforceable, unless the same or some memorandum thereof shall be in writing, signed by the party sought to be charged, or by his lawfully authorized agent, and registered with the Gold Commissioner.

VII. Any person desiring any exclusive ditch or water privilege shall make application to the Gold Commissioner having jurisdiction for the place where the same shall be situated, stating for the guidance of the Commissioner, in estimating the character of the application, the name of every applicant, the proposed ditch head and quantity of water, the proposed locality of distribution, and if such water shall be for sale, the price at which it is proposed to sell the same, the general nature of the work to be done, and the time within which such work shall be complete; and the Gold Commissioner shall enter a note of all such matters as of record.

VIII. Unless otherwise specially arranged, the rent to be paid for any water privilege shall be in each month one average day's receipts from the sale thereof, to be estimated by the Gold Commissioner with the assistance, if he shall so think fit, of a jury.

IX. If any person shall refuse or neglect to take within the time mentioned in his application, or

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COLUMBIA.

within such further time (if any) as the Gold Commissioner may, in his discretion, think fit to grant for the completion of the ditch the whole of the water applied for, he shall, at the end of the time mentioned in his application, be deemed entitled only to the quantity actually taken by him, and the Gold Commissioner shall make such entry in the register as shall be proper to mark such alteration in the quantity, and may grant the surplus to any other person according to the rules herein laid down for the granting of water privileges.

X. Every owner of a ditch or water privilege shall be bound to take all reasonable means for utilizing the water granted to and taken by him. And if any such owner shall wilfully take and waste any unreasonable quantity of water, he shall be charged with the full rent as if he had sold the same at a full price. And it shall be lawful for the Gold Commissioner, if such offence be persisted in, to declare all rights to the water forfeited.

XI. It shall be lawful for the owner of any ditch or water privilege to sell and distribute the water conveyed by him to such persons, and on such terms as they may deem advisable, within the limits mentioned in their application: Provided always, that the owner of any ditch or water privilege shall be bound to supply water to all applicants, being free miners, in a fair proportion, and shall not demand more from one person than from another, except when the difficulty of supply is enhanced; provided further, that no person, not being a free miner, shall be entitled to demand to be supplied with water at all.

XII. A claim on any mine shall, until otherwise ordered by some valid byelaw, be deemed to be abandoned, and open to the occupation of any free miner, when the same shall have remained unworked by some registered holder thereof for the space of seventy-two hours, unless in case of sickness, or unless before the expiry of such seventy-two hours a further extension of time be granted by the Gold Commissioner, who may grant further time for enabling parties to go prospecting, or for such other reasonable cause as he may think proper. Sundays, and such holidays as the Gold Commissioner may think fit to proclaim, are to be omitted in reckoning the time of non-working.

XIII. Whenever it shall be intended, in forming or upholding any ditch, to enter upon and to occupy any part of a registered claim, or to dig or loosen any earth or rock within [4] feet of any ditch not belonging solely to the registered owner of such claim, three days' notice in writing of such intention, shall be given, before entering or approaching within four feet of such other property.

XIV. If the owner of the property about to be so entered upon or approached shall consider three days' notice insufficient for taking proper measures of precaution, or if any dispute shall arise between the parties as to the proper precautionary measures to be taken, or in any other respect, the whole matter shall be immediately referred to the Gold Commissioner acting in the district, who shall order such interval of time to be observed before entry, or make such other order as he shall deem proper.

XV. In quartz claims and reefs each successive claimant shall leave three feet unworked to form a boundary wall between his claim and that of the last previous claimant, and shall stake off his claim accordingly, not commencing at the boundary peg of the last previous claim, but three feet further on; and if any person shall stake out his claim disregarding this rule, the Gold Commissioner shall have power to come and remove the first boundary peg of such wrongdoer three feet further on, notwithstanding that other claims may then be properly staked out beyond him: so that such wrongdoer shall then have but ninety-seven feet. And if such wrongdoer shall have commenced work immediately at the boundary peg of the last previous claim, the Gold Commissioner may remove his boundary six feet further on than the open work of such wrongdoer; and all such open work, and also the next three feet of such space of six feet shall belong to and form part of the last previous claim, and the residue of such space of six feet shall be left as a boundary wall.

XVI. Every such boundary wall shall be deemed the joint property of the owners of the two claims between which it stands, and may not be worked or injured, save by the consent of both such owners.

XVII. In staking out plots of land for free miners and traders for gardening and residential purposes, under the powers in the said Gold Fields Act, 1859, contained, the Gold Commissioner is to keep in view the general interests of all the miners in that locality, the general principle being that every garden benefits indirectly the whole locality, and also that the earlier application is to be preferred; but where the eligible spots of land are few, or of scanty dimensions, and especially where they are themselves auriferous, it may be injudicious that the whole or the greater part should fall into the hands of one or two persons; and therefore, in such cases, the Gold Commissioner may, in the exercise of his discretion, allot small plots only to each applicant.

XVIII. Any person desiring to acquire any water privilege shall be bound to respect the rights of parties using the same water, at a point below the place where the person desiring such new privilege intends to use it.

XIX. Any person desiring to bridge across any stream or claim or other place for any purpose, or to mine under or through any ditch or flume, or to carry water through or over any land already occupied by any other person, may be enabled to do so in proper cases, with the sanction of the Gold Commissioner. In all such cases the right of the party first in possession, whether of the mine or the water privilege, is to prevail, so as to entitle him to full compensation and indemnity. But wherever due compensation by indemnity can be given, and is required, the Gold Commissioner may sanction the execution of such new work on such terms as he shall think reasonable.

AS TO LEASES IN LARGER PROPORTIONS THAN CLAIMS.

XX. Applications for leases are to be sent in triplicate to the Gold Commissioner having jurisdiction for the locality where the land desired to be taken is situated. Every such application shall contain the name and additions of the applicant at full length, and the names and addresses of two persons residing in the colony of British Columbia or Vancouver Island, to whom the applicant is personally known. Also a description accompanied by a map of the land proposed to be taken.

XXI. Leases will not be granted in general for a longer term than ten years, or for a larger space than ten acres of alluvial soil (dry diggings), or half a mile in length of unworked quartz reef, or a mile

and a half in length of quartz, that shall have been attempted and abandoned by individual claim workers, with liberty to follow the spurs, dips, and angles on and within the surface, for two hundred feet on each side of the main lead or seam, or, in bar diggings half a mile in length (if unworked) along the high-water mark, or a mile and a half in length along high-water mark, where the same shall have been attempted and abandoned by individual claim workers.

XXII. Leases as above will not in general be granted of any land, alluvium, or quartz, which shall be considered to be immediately available for being worked by free miners as holders of individual claims. Nor will such a lease in any case be granted where individual free miners are in previous actual occupation of any part of the premises unless by their consent.

XXIII. Every such lease shall contain all reasonable provisions for securing to the public rights of way and water, save in so far as shall be necessary for the miner-like working of the premises thereby demised, and also for preventing damage to the persons or property of other parties than the lessee. And the premises thereby demised shall be granted for mining purposes only, and it shall not be competent for the lessee to assign or sub-let the same, or any part or parts thereof, without the previous licence in writing of the Gold Commissioner. And every such lease shall contain a covenant by the lessee to mine the said premises in a miner-like way, and also, if it shall be thought fit, to perform the works therein defined within a time therein limited. And also a clause by virtue whereof the said lease and the demise therein contained may be avoided in case the lessee shall refuse or neglect to observe and perform all or any of the covenants therein contained.

XXIV. Every applicant for a lease shall at the time of sending in his application mark out the ground comprised in the application, by square posts firmly fixed in the boundaries of the land, and four feet above the surface, with a notice thereon that such land has been applied for, stating when and by whom, and shall also fix upon a similar post at each of the nearest places on which miners are at work a copy of such notice.

XXV. Objections to the granting of any such lease shall be made in writing, addressed to his Excellency the Governor, under cover to the Gold Commissioner, who shall forward all such objections, together with his report thereon.

XXVI. Every application for a lease shall be accompanied by a deposit of twenty-five pounds sterling, which shall be refunded in case the application shall be refused by the Government, and if the application shall be entertained, then such sum of twenty-five pounds shall be retained for the use of Her Majesty, Her heirs and successors, whether the application be afterwards abandoned or not.

Issued under the Public Seal of the colony of British Columbia, at Victoria, Vancouver Island, this Seventh day of September, in the year of our Lord One thousand eight hundred and fifty-nine, and in the Twenty-third year of Her Majesty's reign, by me,

JAMES DOUGLAS. (L.S.)

By Command of his Excellency,
WILLIAM A. G. YOUNG,
Acting Colonial Secretary.

No. 26.

COPY of DESPATCH from Governor DOUGLAS, C.B. to his Grace the
DUKE OF NEWCASTLE.

No. 26.

(No. 224.)
MY LORD DUKE,

Victoria, Vancouver's Island, October 18, 1859.
(Received December 19, 1859.)

SINCE I had last the honour of addressing your Grace, on the 13th of September, I have been engaged in making an official tour in British Columbia, in the course of which I visited the towns of New Westminster, Langley, Douglas, Fort Hope and Yale, travelled through the passes of Fraser's River to Spuzzem, and inspected all the mining districts west of that place.

2. In my progress through the country I have had opportunities of conversing familiarly with the people; of ascertaining, by personal intercourse, their wants and views, their real and fancied grievances, and of studying practically the best means of promoting the settlement and permanent interests of the colony.

3. I more especially directed my inquiries into the working of the "Gold Fields Act," which came into operation in the month of August last, and was much gratified to find that the Act had been received with satisfaction, and met the approval of the mining population of the colony.

4. It has, however, some objectionable features which will require amendment. The small size of the bar and bank claims prescribed by the Act, the former limited to 25 feet frontage on the banks of great rivers, and the latter to a space of 25 by 30 feet, was perhaps the most general, and almost the only serious, objection made to it; and it must be admitted that the objection applies with great force to ground which has already been worked over, and to places where the pay-streak is thin and deeply covered with soil, which the miner has to remove, at a great expense, before the gold can be obtained.

5. There was a general feeling last year among the miners in favour of the minute subdivision of the mining ground into distinct claims; but that feeling no doubt arose from the greater number of miners in the field, the limited extent of the then known auriferous districts, and the natural desire of each to possess a separate mining claim.

The revenue is so largely benefited by that subdivision, as each mining claim is required to pay an annual charge of 1*l.* sterling into the Colonial Exchequer, that the principle was without hesitation, and for that reason only, adopted in the "Gold Fields Act."

6. In constructing that Act it was foreseen that no mining law, however comprehensive, could be made applicable to the wants and circumstances of an extensive country like British Columbia, and the expedient was therefore resorted to of providing for the establishment of elective mining boards in every district, with power to frame bye laws regulating the size of claims, and otherwise of adapting the provisions of the General Act to the particular circumstances of each mining district.

7. Until the mining boards are constituted the Assistant Gold Commissioners are empowered to grant relief in all cases of real hardship, or whenever the public or the interests of individual miners may be endangered through the rigid enforcement of the Act; and it was also decided that in certain cases where miners have incurred much preliminary outlay on account of their claims, that the same person may be allowed to hold more than one mining claim, under a lease from the Crown, and at a rental equal to the revenue accruing to the colony from an equal number of mining claims held by different persons; an arrangement which gave general satisfaction, and will, I have no doubt, remove all cause of complaint in respect to the extent of mining claims.

8. I met, in the course of my journey, with roving miners from every part of British Columbia, and ascertained from them many interesting facts connected with the gold districts. Last year an impression was generally entertained by the miners that the gold deposits had been made by Fraser's River, and that the gold was brought down by the stream from a source existing somewhere in the main range of the Rocky Mountains; they have since discovered that not only the bed, but also the higher banks of the Fraser, which rise terrace-like, one above the other, as they recede towards the hills on either side, are composed of auriferous earth and beds of water-worn gravel; a circumstance that has led them, not illogically, to the conclusion that the river occupied at some former period a much higher level than its present bed, and that the water has been drained off by its gradual deepening, through the natural process of attrition or by volcanic agency.

9. Alluvial diggings of extraordinary value have been discovered on Quesnel River, a tributary which flows into the Fraser about 50 miles beyond Alexandria. Some adventurous miners have ascended this stream as far as the lake of the same name from which it rises, and have been rewarded with rich strikes, as much, it is reported, as 40*l.* a day having been made to the hand; but instances of such good fortune are uncommon. One circumstance, however, which deserves to be recorded, and which is established almost beyond a doubt, through the concurring testimony of the miners who have seen the country, is the fact that the channels of Fraser's River, to a distance of 150 miles beyond Fort George, the extreme point to which they have been yet prospected, are found to be auriferous, yielding on every bar from 20*s.* to 25*s.* a day to the hand.

10. I fell in with three persons who left St. Paul's, Minnesota, some time last year; they passed the winter in the Rocky Mountains, continued their journey westward in the spring, and struck the south branch of Fraser's River near "Tête Jauné's Cache." They saw many veins of quartz on the western slopes of the mountains, and beds of reddish earth, which in California are considered a sure indication of the presence of gold; they prospected the banks of the South Fraser as they dropped down the stream in a rudely formed canoe, and were nowhere disappointed in finding gold in highly remunerative quantities.

11. The district between Yale and Lytton abounds in rich bank and bar diggings. Mr. M'Gill, a respectable merchant residing at Fort Yale, assured me that he once saw 71 ounces of gold dust taken out of one mining claim at Boston Bar by three men in 24 hours, and that the same claim yielded regularly from 48 to 50 ounces of gold a day for about four weeks, when the holders were driven out by a sudden rise in the river, the claim being only accessible at extreme low water for about four weeks in the year.

12. The miners also report the presence of gold in the various little streams between Pavillon and Alexandria, and, in short, believe that there is gold in almost every part of the country.

13. Two veins of gold-bearing quartz were discovered by a party of Cornish miners near Fort Hope, during the time I remained at that place, and the discoverers, who entertain sanguine hopes of success, intend to work them as rapidly as their scanty means will permit.

14. The district between Hope and Yale is not so populous as last year, the present mining population consisting of about 600 persons. The washing is now principally done

by sluicing, which requires fewer men and does much more work than the process of hand-washing. A large amount of capital is invested in ditches, which carry supplies of water for sluicing to every mining bar in this district; the miners, whose operations were previously confined to the bed of Fraser's River, are thus enabled to widen their field of labour by pushing shafts and other mining works into the banks far above the highest water levels of the river. One of those ditches is five miles long, and runs through ground replete with engineering difficulties, which have been overcome with a degree of skill and dexterity, and with a paucity of means, that excites a feeling of admiration at the practical talent and daring enterprise displayed in its construction.

15. When the gold-lead, or pay-streak, is deeply seated, the amount of labour which has to be executed is something almost incredible; the whole of the surface earth, often 25 feet in depth, with its covering of brush and forest trees of enormous size, having to be removed before the treasure can be grasped.

16. There exist extensive dry diggings from Yale upwards towards the Fountain, which for want of water have not been made available for mining; but it is believed that the neighbouring mountains contain abundant sources from whence supplies of water may be brought in; and every inducement will be offered to persons desirous of embarking capital in enterprises of so much public utility, and which are indispensable in the development of the gold fields.

17. The mining population of the district extending from Yale to the Fountain is supposed to exceed 800 men, and about 1,000 men are engaged in the same pursuits between Alexandria, Fort George and Quesnel's River; it is, however, supposed that the miners in the latter district will be compelled by the severity of the weather to abandon it in winter, the cold being then intense, often 20 degrees below zero (Fahrenheit), the rivers frozen, and the ground invariably covered with snow in the months between November and March. Surface mining is therefore impossible at that season, and the miner has no inducement to remain, and possibly has not means enough to purchase a supply of food to keep him until the return of the mining season. Those remarks on the climate apply exclusively to the upper districts of Fraser's River, and not to the country below Alexandria, which enjoys a comparatively mild, dry, and pleasant climate.

18. The value of the present gold exports from British Columbia is estimated at 14,000*l.* a month, or 168,000*l.* per annum; but this estimate does not include the large amount of gold dust remaining in the hands of the miners, nor give a just idea of the whole quantity produced, which no doubt far exceeds the value herein stated.

19. The entire white population of British Columbia does not probably exceed 5,000 men, there being, with the exception of a few families, neither wives nor children to refine and soften, by their presence, the dreariness and asperity of existence.

20. A very marked improvement has taken place since my last visit in the towns of Yale, Douglas, and Hope; the buildings, though entirely of wood, being well and neatly constructed, and it was even more gratifying to observe the growing respectability and quiet orderly deportment of the resident population.

21. In each of those places as well as at New Westminster and Derby, Divine Service is regularly performed by resident clergymen; and the almost total absence of crime shows how usefully and extensively their influence is felt.

22. No schools have been as yet established in the colony; but my attention will be given to the subject of education, and provision made for elementary schools, whenever the wants of the country render them necessary.

23. These facts, carefully selected from the mass of material collected during my late excursion will convey to your Grace an idea of the present social and industrial condition of the colony of British Columbia; and I will now proceed to the notice of other matters of no less importance.

24. The colony is yet destitute of one highly important element, it has no farming class, the population being almost entirely composed of miners and merchants. The attention of Government has been very anxiously directed to the means of providing for that want by the encouragement of agricultural settlers, a class which must eventually form the basis of the population, cultivate and improve the face of the country, and render it a fit habitation for civilized man. The miner is at best a producer, and leaves no traces but those of desolation behind; the merchant is allured by the hope of gain; but the durable prosperity and substantial wealth of states is no doubt derived from the cultivation of the soil. Without the farmer's aid, British Columbia must for ever remain a desert, be drained of its wealth, and dependent on other countries for daily food.

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25. The colony has not proved attractive to agricultural settlers. The surveyed country land was all put up to public sale at New Westminster on the 5th and 6th of the present month (October), when four lots only were sold, none of which realized more than the upset price of 10s. an acre, as there was no competition and few purchasers.

26. At Douglas and Hope, various applications were made to me for rural land, by persons who had taken a fancy to the country, and in some instances, made valuable improvements. They asked to be secured in the ownership of any land they might improve, at the upset price of 10s. an acre; and that it should not be exposed to public sale, with a value enhanced by their own labour and outlay, as in that case they would either have to purchase their own improvements or see their property pass into other hands.

27. There was nothing unreasonable in their proposal, and as meeting their views would, I felt assured, have the effect of promoting the settlement of the country; I had every wish to do so, but there was a difficulty in accomplishing the object, for the reason that no country land had been surveyed in those districts, nor could surveys be completed before next year, when the petitioners would probably all have left the colony in disgust. I therefore had recourse to an expedient which fully met the case, without sacrifice to the Government, and to the perfect satisfaction of the public, by issuing a circular addressed to the Assistant Commissioners of Crown lands at Hope, Yale, Douglas, Lytton, and Cayoosh, directing them to permit all persons being at the time British subjects, and all persons who have recorded their intention of becoming British subjects, to hold tracts of unsurveyed Crown land, not being town sites, nor sites of Indian villages, and not exceeding 160 acres in extent, with a guarantee that the same would be fully conveyed to the holder when the land is surveyed, at a price not to exceed 10s. an acre.

28. This is in fact the basis of a pre-emption law founded on occupation and improvement, the Government agreeing on those conditions to convey the land at a fixed price; it being moreover provided that the rights of actual settlers, of those persons only who are found in possession when the land is surveyed will be recognized and allowed. Persons wishing to acquire larger tracts will be required to pay a deposit of 5s. per acre on all land over 160 acres pre-empted for their benefit; a condition intended to serve as a protection to *bonâ fide* settlers, and to prevent speculators from preying on the public, and defeating the proposed object of encouraging the settlement of the country.

29. If that plan should fail in attracting a population I think it will be advisable to resort to the Canadian system of making free grants not exceeding 100 acres of rural land to actual settlers, on condition of their making certain specified improvements.

30. The great object of opening roads from the sea coast into the interior of the country, and from New Westminster to Burrard's Inlet and Pitt River, continues to claim a large share of my attention. The labour involved by these works is enormous; but so essential are they as a means of settling and developing the resources of the country, that their importance can hardly be overrated; and I therefore feel it incumbent on me to strain every nerve in forwarding the progress of undertakings so manifestly conducive to the prosperity of the colony, and which at the same time cannot fail ere long to produce a large increase in the public revenue.

31. We hope to complete the last section of a pack-road leading by the left bank of the Fraser, from Derby to Lytton, a distance of 170 miles, on or before the 1st day of February next. From Lytton a natural pack-road now exists leading to Red River settlement, by the Coutannais Pass, through the Rocky Mountains, and from thence following the valley of the Saskatchewan, chiefly over an open prairie country of great beauty, and replete with objects of interest to the tourist and the sportsman; a settler may then take his departure from Red River in spring with his cattle and stock, and reach British Columbia by that road in course of the autumn following. This is no mere theory, the experiment having been repeatedly made by parties of Red River people travelling to Colville, from whence there is a good road to Lytton; so much so, indeed, that one of those persons assured me that the whole distance from Lytton to Red River, with the exception of the Coutannais Pass, which is thickly wooded, may be safely travelled with carts. If the Canadian Government would undertake to open a road from Red River to the borders of Lake Superior, which really presents no very formidable difficulties, the connexion between British Columbia and Canada would be complete, and the whole distance might I think, be travelled on British soil.

32. The declared value of British Columbia imports for the quarter ending with the 30th day of September last is 207,848 dollars; and the customs receipts for the same period, amount to 5,202l. against 4,242l. for the preceding quarter, showing an increase on the latter of 960l. A large sum has also been derived from sales of town land, licences

and other sources of revenue, but those returns not having been received must be reserved for a future communication.

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Trusting that these details may not prove unacceptable,

His Grace the Duke of Newcastle,
&c. &c. &c.

I have, &c.
(Signed) JAMES DOUGLAS,
Governor.

No. 27.

COPY of DESPATCH from Governor DOUGLAS, C.B., to his Grace the
DUKE of NEWCASTLE.

No. 27.

(No. 231.)

Victoria, Vancouver's Island, November 10, 1859.

(Received January 27, 1860.)

(Answered No. 9, February 18, 1860, p. 108.)

MY LORD DUKE,

I HAVE the honour to acknowledge the receipt of Sir Edward Bulwer Lytton's Despatch No. 62,* of the 7th May, on the subject of the disposal of Crown lands in British Columbia.

* Vide papers
presented Aug.
1859, p. 86.
† Page 12.
‡ Vide papers
presented Aug.
1859, p. 78.

2. In my Despatch No. 156,† of the 23rd May, replying to Sir Edward Bulwer Lytton's Despatch No. 16‡, of the 7th February, I stated my full concurrence in regard to the advantages attending the system of prompt payment for land, and we shall, if practicable, without retarding the settlement of the country, introduce the practice into British Columbia.

3. With reference to the reservation of lots at New Westminster for sale in the United Kingdom and the British Colonies, which is discussed in the same Despatch No. 62, I would remark for your Grace's information that it was made with the view of meeting the demand anticipated by the large emigration expected this year from Great Britain and her colonies, and which it was feared might otherwise be deprived of the chance of obtaining lots at New Westminster.

4. It was, however, never intended, nor have we empowered any agents to sell, specific lots either in the United Kingdom or the colonies, otherwise such powers should be recalled, agreeably to the instructions received on this matter.

His Grace the Duke of Newcastle,
&c. &c. &c.

I have, &c.
(Signed) JAMES DOUGLAS,
Governor.

No. 28.

COPY of DESTATCH from Governor DOUGLAS, C.B., to his Grace the
DUKE of NEWCASTLE.

No. 28.

(No. 234.)

Victoria, Vancouver's Island, November 16, 1859.

(Received January 27, 1860.)

MY LORD DUKE,

I HAVE the honour to acknowledge the receipt of your Despatch No. 13* of August 1859, upon the subject of the postal communication with the colonies of British Columbia and Vancouver's Island.

2. I regret to learn from this Despatch that Her Majesty's Government have decided that the advantages which would be derived by these colonies in the establishment of a direct mail service between San Francisco and British Columbia would not prove equivalent to the large amount of subsidy required for carrying out the undertaking, and that the same reason has precluded the Government from entertaining the proposal for a direct route viâ Canada and Hudson's Bay Company's territory.

3. I observe that hereafter the correspondence for these colonies will be transmitted in closed mails to Her Majesty's Consul at San Francisco who is to forward them by the first opportunity to their destination, and further that your Grace instructs me to endeavour to secure the improvements in the existing mail service which I pointed out as desirable in my Despatch of 5th November 1858.

4. Those improvements pointed chiefly to the establishment of a direct line between this and San Francisco, and I understand your Grace's present instructions as requiring me to ascertain whether such improvements can be obtained under existing circumstances by combination with present arrangements.

5. Heretofore the United States mail steamers were under the obligation of conveying the letters for Vancouver's Island and British Columbia, if properly directed, to Puget

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Sound; and, before those steamers touched at Victoria, we received the mail from Puget Sound by any chance opportunity that offered. Since however the gold discoveries in British Columbia, the United States mail steamers have found it to their advantage to call regularly at Victoria, and, through the civility of the post-office authorities in San Francisco, a separate mail bag for Victoria has always been made up and forwarded. The same will probably continue to be the case under the arrangement of sending the closed bags to the Consul at San Francisco, except that the conveyance of the mail to these waters will then become a matter of favour; but I scarcely anticipate any delay, for both the post-office authorities and the officers of the mail steamers are invariably most accommodating and attentive.

6. But under this system your Grace will at once perceive how entirely dependent we are upon United States resources, and subject to the courtesy of United States officials for the receipt of our mails, and that it is in their power at any moment entirely to stop the communication. Another serious inconvenience also attaches to the present system, and that is the almost utter impracticability of replying to correspondence by the same mail; for the steamer arrives at uncertain periods, and generally does not remain more than two hours, so that it frequently happens that the mail is actually not delivered until after she has left the port.

7. For some months past, until very recently, a British screw steam vessel, the "Foxwood," was put upon the line between Victoria and San Francisco, and her owners were very desirous of obtaining the mail contract, for with that prestige and certainty there would have been ample inducement for her continuance. Application was made to me on the subject, but I could only mention the arrangement Her Majesty's Government purposed making in England. The "Foxwood" has I regret to say recently been withdrawn, not being able to compete with the monopoly of the Pacific Mail Steam Ship Company. I learn, however, she is still at San Francisco unemployed, and I am inclined to think that but a trifling inducement would bring her upon the line again, which is much to be desired for many reasons. I have, therefore, carrying out what I believe to be the desire of your Grace, requested the agents of the "Foxwood" to make me an offer of the rate at which they would undertake to perform the mail service between this place and San Francisco; and so soon as a reply is received I will forward it for the consideration of your Grace.

His Grace the Duke of Newcastle,
&c. &c. &c.

I have, &c.
(Signed) JAMES DOUGLAS,
Governor.

No. 29.

No. 29.

COPY of DESPATCH from Governor DOUGLAS to his Grace the DUKE of NEWCASTLE.

(No. 235.)

Victoria, Vancouver's Island, November 21, 1859.

MY LORD DUKE,

(Received January 27, 1860.)

* Vide Papers
presented Aug.
1859, p. 70.

I HAVE the honour to forward for your Grace's information the copy of a report which I lately received from Mr. William Downie, the same enterprising person who last winter furnished a report, also forwarded with my Despatch No. 123* of the 25th of March last, on Jarvis Inlet.

2. The report now transmitted relates to the unsuccessful result of the attempt made in the month of July last, by a body of miners from this place, to explore Queen Charlotte's Island.

3. The adventurers, dismayed by the rugged aspect of the country, the humidity of the climate, and the numbers and formidable appearance of the native tribes, did not prosecute the enterprise with resolution or tenacity, and soon returned to this place, with the exception of a few daring spirits, who accompanied Mr. Downie to Fort Simpson, and there made arrangements to explore the course of Skeena River, which flows into the sea at Port Essington, North latitude 54° 15".

4. The party commenced the ascent of the Skeena in a canoe, which they managed to take on as far as the Forks, a distance of 110 miles from the sea. The river ceases to be navigable at that point, in consequence it is supposed of falls and dangerous rapids; and they had to leave the canoe, and to travel 55 miles by land to the Indian village of "Naas Glee," a celebrated native fishing station, from whence the Skeena again becomes navigable to its source in "Babine Lake," 15 miles beyond "Naas Glee."

5. Babine Lake is a broad and extensive sheet of water, nearly 90 miles in length, with

depth sufficient for vessels of the largest class; and is separated by a low table-land 13 miles in breadth from Stuart's Lake, a feeder of Fraser's River, not quite so large as Barbine Lake, but otherwise equally well adapted for the purposes of navigation.

6. The report closes with the arrival of Mr. Downie and party, after much suffering and privation, at Fort St. James, Stuart's Lake, where their wants were generously relieved, and themselves hospitably entertained, by the officers of the Hudson's Bay Company.

7. Mr. Downie made several important discoveries in course of his adventurous journey. He found gold in small quantities on the Skeena River; and the mountains, which he had not time to explore, appeared to be of the formation containing gold; he also saw very valuable and extensive beds of coal. He moreover found gold on Stuart's Lake. He describes the country between the Forks and "Naas Glee" as being well adapted for farming, and suitable for the construction of roads. The whole distance from Babine Lake to the sea does not appear to exceed 180 miles, a great part of which is accessible by water.

8. The valley of the Skeena is thus shown to be an available avenue into the interior of British Columbia, and will, I have no doubt, soon become a most important outlet for the upper districts of Fraser's River, which, from the course of the river and the direction of the coast, are brought in close proximity with the sea.

9. As a means of supplying the distant mining districts of British Columbia by a shorter and cheaper route than the valley of Fraser's River, its importance will soon be appreciated and attract the attention of the mining and commercial classes; and I believe that the day is not far distant when steamers will be busily plying on the waters of the two great inland lakes.

10. It appears from the American papers published in Washington territory that rich gold diggings have been very lately found by the men of the United States Boundary Commission on the Shimilcomeen River, and we shall have to turn our attention immediately to that quarter, as the greater part of the Shimilcomeen Valley lies north of the 49th parallel of latitude, and within the limits of this colony.

11. The enclosed clipping from the "Pioneer and Democrat," of the 4th November instant, contains all the information we have yet received relative to that discovery.

I have, &c.

His Grace the Duke of Newcastle.
&c. &c. &c.

(Signed) JAMES DOUGLAS,
Governor.

Enclosure in No. 29.

Encl. in N6.29.

Fort St. James, Stuart's Lake, New Caledonia,
October 10, 1859.

SIR, I BEG to make the following report of my trip to Queen Charlotte's Island, and my journey thence by Fort Simpson to the interior of British Columbia.

I left Victoria on the 27th July with 27 practical miners, having stores, &c., &c., for three months. We arrived in Gold Harbour, Queen Charlotte's Island safely on the 6th August, and immediately set about prospecting, as we expected to see the gold shining in the water.

Prospecting.

We examined the spot where a large quantity of gold was formerly taken out, and discovered a few specks of gold in the small quartz seams that run through the slate; two of the party blasting the rock while others prospected round the harbour.

I then proceeded in a canoe to Douglas Inlet, which runs in south of Gold Harbour, hoping to find traces there of the Gold Harbour lead, but without success. The nature of the rock is trap or hornblende, with a few poor seams of quartz straggling over the surface. Granite was found at the head of this inlet, but not a speck of gold could we discover. Next day we went up an inlet to the north of Gold Harbour, and here a white rock showed itself on the spur of a mountain, and like old Californians up we must go to see if this was a place where our fortunes were to be made. After a difficult ascent we found it to be nothing but weather-beaten, sun-dried granite instead of quartz. Further up the inlet we saw a little black slate and some talcose rock, but nothing that looked like gold. On our return we found that the men engaged in blasting the rock had given it up, the few surface specks being all the gold that could be found. The character of the rock is generally trap or hornblende.

Nature of the
rock.

No gold.

The large amount of gold that was formerly found with so little difficulty existed in what is called an off-shoot or blow. The question then arises how did the gold get here? Some of our party were of opinion that a gold lead existed close at hand. But it can only be put down to one of the extraordinary freaks of nature so often found in a mineral country.

Offshoots of
gold.

The off-shoots in question are not uncommon, I have often seen them in California. On such a discovery being made hundreds of miners would take claims in all directions near it, and test the ground in every way, but nothing further could be found, except in the one spot about 70 feet in

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Skidegate channel.	I now proposed to test the island further, so we started for the Skidegate Channel. At a village of the Crosswer Indians, where we were wind bound, the appearances were more favourable,—talcose slate, quartz, and red earth; we tried to discover gold but without success. Sulphuret of iron was found in abundance, and we discovered traces of previous prospecting, the Indians understand the search for gold well, and detect it in the rocks quicker than I can.
Sulphuret of iron.	The coast from the Cassiver Indian village to Skidegate Channel is wilder than any I have ever before travelled, and we did not care to hunt for gold in such a place. Five Indians were drowned here to-day while fishing.
Coal formation.	At the Skidegate Channel we found black slate and quartz, travelling further north granite appears and then sandstone and conglomerate, and as we were now in a coal country it was no use to look for gold. We saw coal here, but I cannot speak as to its quality, not being a judge of it. The formation is similar to that of Nanaimo.
Fort Simpson.	From here we returned to Gold Harbour. A party who had remained behind to prospect inland had met with no better success than ourselves. We then consulted what was the best thing to do. I did not wish to return to Victoria, as your Excellency had desired me to explore some of the inlets on the mainland, so I left Gold Harbour with a party of 14 men for Fort Simpson, and arrived there in eight days.
Mouth of Skeena river.	The N.W. coast of Queen Charlotte's island is a low sand and gravel flat, having no resemblance to a gold country. I left Fort Simpson for the Skeena River on the 31st August; from Fort Simpson to Port Essington is about 40 miles. The salt water here is a light blue colour, like the mouth of Fraser River, and runs inland about 30 miles. The coarse-grained quartz of Fort Simpson is no longer seen here, and granite appears; and the banks of the river are low, and covered with small hard wood and cotton trees, with some good-sized white oaks; the first I have seen west of Fraser's River.
Timber.	Vessels drawing more than four feet of water cannot go more than 20 miles up the Skeena River, and it is very unlike the deep inlets to the southward. At our camp here some Indians visited us; they told us they were honest, but next morning the absence of my coat rather negatived their statement. Next day we found the river shoal, even for loaded canoes, as it had fallen much. At our next camp I went up a small river, called Scenatoys, and the Indians showed me some crystallized quartz, and, to my surprise, a small piece with gold in it, being the first I have seen in this part. The Indian took me to a granite slide, whence, he asserted, the piece of quartz in question had come from. I found some thin crusts of fine quartz, but no gold. I am of opinion, however, that good paying quartz will be found here. From the River Scenatoys to Port Essington, at the mouth of the Skeena River, is 75 miles; a little below the Scenatoys an Indian trail leads to Fort Simpson; it is through a low pass, and the distance is not great.
Depth of water.	From this, 10 miles further up, was a river called the Toes, on the south side; hence is an Indian trail to the Kitloops on the Salmon River. The south branch of Salmon River is called Kittama.
River Scenatoys.	By this time we were fairly over the coast range, and the mountains a-head of us did not look very high, the current here was very strong, and much labour required to get our canoe along, and we had to pull her up by a rope from the shore.
First gold quartz.	Gold is found here a few specks to the pan, and the whole country look auriferous, with fine bars and flats with clay on the bars; the mountains look red, and slate and quartz can be seen. Next camp was at the village of Kitalaska and I started in a light canoe ahead of my party, as our canoe by all accounts could not get much further, and I then determined to penetrate to Port Fraser.*
Trail to Fort Simpson.	The Indian who was with me told me that a large stream called the Kitchumsala comes in from the north; the land on it is good and well adapted for farming; here the Indians grow plenty of potatoes. To the south a small stream called the Chimkoatsh, on the south of which is the Plumbago mountain; I had some in my hand, it is as clear as polished silver, and runs in veins of quartz.
River Toes.	Near to this are the words "Pioneer, H.B.C." on a tree and nearly overgrown with bark; the Indians told me it was cut by Mr. John Waln, a long time ago.
Gold found.	From here to the village of Kitcoonsa the land improves, the mountains recede from the river, and fine flats run away 4 or 5 miles back to their bases, where the smoke is seen rising from the huts of the Indians engaged in drying herries for the winter, which abound here. These Indians were very kind to us, and wished me to build a house there, and live with them.
Appearance of the country.	Above the village of Kitcoonsa the prospect of gold is not so good as below, where a dollar a day might be made. As the season was so advanced I was not able to prospect the hills, which look so well about here, and unless the Government takes it in hand it will be a long while before the mineral resources of this part of British Columbia are known. I think this is the best looking mineral contry I have seen in British Columbia. From here to the village of Kitsagatala the river is rocky and dangerous, and our canoe was split from stem to stern.
Kitalaska.	At Kitsagatala we entered a most extensive coal country, the seams being in sight and cut through by the river, and running up the banks on both sides, varying in thickness from 3 to 35 feet.
River Kitchumsala.	The veins are larger on the east side and are covered with soft sandstone, which gives easily to the pick; on the west side quartz lines the seams, which are smaller. The veins dip into the bank for a mile along the river, and could easily be worked by tunnels on the face, or by sinking shafts from behind on the flats, as they run into soft earth.
River Chimkoatsh.	I have seen no coal like this in all my travels in British Columbia and Vancouver's Island.
Plumbago.	We experienced some dangers from Indians here, but by a small present of tobacco, and by a determined and unconcerned aspect, I succeeded in avoiding the danger of a collision with them. We could go no further than Kittamarks, the Forks of the Skeena river in the canoe, and we had been 20 days from Fort Simpson, though the journey could have been done in a third of that time.
Kitcoonsa.	
Fine land.	
Hospitable Indians.	
Mining prospects.	
Most promising part of British Columbia.	
Kitsagatala.	
Coal.	
Depth of seam.	
Breadth of lead.	
Facility of working.	
Dangerous Indians.	
River journey ends.	

* Supposed to apply to an establishment of the Hudson's Bay Co.

On the 21st September, I left Kittamarks with two white men and two Indians and started over a fine trail and through a beautiful country for Fort Fraser, we crossed over an Indian suspension bridge and entered some first-rate land, our course being about east; we completed about twelve miles to-day. Next day it rained hard, but we succeeded in doing twelve miles, passing through as fine a farming country as one could wish to see. To the south-east a large open space appeared and I have since learnt that a chain of lakes runs away here, being the proper way to Fort Fraser; but as I always follow my Indian guides implicitly, I did so on this occasion. The third day the weather was fine but the trail not so good, it ran along the side of a mountain, but below, the trail was good, and grass abundant. My Indians started after a goat of the mountain but was quickly driven back by three bears. The fourth day we crossed what is called the rocky pass, which may be avoided by keeping the bottom. To the north a chain of mountains could be seen covered with snow, distant about 80 miles, where the Hudson Bay Company have a Post called Bear Fort; to the south is the Indian village Kispyattes, along the bottom runs the Skeena past the village of Allagasomeda, and further up the village of Kithathrats on the same river.

Fifth day we encountered some dangerous looking Indians but we got away from them. We passed through a fine country with cotton trees and good soil.

We now arrived at the village of Naas Glee where the Skeena River rises, we were again on the river we left five days ago, having travelled 55 miles when we might have come by the river. We had great difficulty with the Indians here, and it was fortunate I knew the name of the chief, as otherwise they would have taken all our property; as it was they surrounded us and were most importunate, one wanted my coat, another my gun, a third took my cap from my head; and I really thought they would murder us. These Indians are the worst I have seen in all my travels. Naas Glee is a great fishing station, and all the worst characters congregate here to lead an indolent life, as they live on the proceeds of their salmon fishery. Thousand of salmon were drying at this village.

We hardly knew what to do for they told us it was 10 days to Fort Fraser, and if we returned they would have robbed us of everything; so I determined to go on if the chief Norra would accompany me, and on giving him some presents he consented to do so. I was never so glad to get away from an Indian village, but I am ready to go again and prospect this country if your Excellency wishes it. The river from Naas Glee downwards is very rapid; but as the banks are low and flat a waggon road or railroad could easily be made. The land around Naas Glee is first rate, and wild hay and long grass abound. Potatoes are not grown here, owing to the thieving of the Indians. There is no heavy pine timber hereabouts; the canoes are made of cotton wood.

Above Naas Glee the river was very rapid, and it required all our energy, as we had but a small quantity of dried salmon to last us 10 days. Ten miles above Naas Glee is an old Indian village called Whatatt; here the shoal water ends and we enter the Babine Lake, going through a fine country; we accomplished 20 miles this day; the lake is broad and deep. Next morning, to my surprise, I found a canoe at our camp, with Frenchmen and Indians in charge of Mr. Gavin Hamilton, an officer in the service of the Hudson Bay Company, from Fort St. James Stuart's Lake, New Caledonia, whither we were bound: he was on his way to Naas Glee to purchase fish. He advised me to go back with him to Naas Glee and then to return with him to Stuart's Lake; but as I had seen enough of Naas Glee I refused with thanks. In fact I was very anxious to reach Fort St. James, as I did not wish to be disappointed this time. Mr. Hamilton expressed his surprise that we had managed to get away from Naas Glee, as we were the first white men who had come through this route, and even he found much difficulty with the Indians there. Having persuaded Narra the chief to let us have his canoe, we said farewell to Mr. Hamilton, and proceeded on our journey.

It was fortunate we sent back our two Indians, otherwise we should have suffered from starvation, as it was we reached Stuart's Lake with difficulty. We made a fine run to-day before a fair wind to Fort Killamours, this post is only kept up in the winter. Our course from Naas Glee to this place was S.E. and the distance about 50 miles. The land is good the whole way, with long grass on the benches near the Fort. It is a very lonely place, no sound save your own voice. It seems a great pity to see this beautiful land, so well adapted for the wants of man, lying waste; when so many Englishmen and Scotchmen would be glad to come here and till the soil. Babine Lake is deep and in some places five or six miles wide, there are islands and points of land to afford shelter from the storm, blow whence it may. From Fort Killamours to the head of Babine is about 40 miles direction S.S.E., only from the head down about 20 miles it runs E. and W. We arrived at the head of Babine the seventh day after leaving Naas Glee we had seen no Indians and had made a favourable journey, neither had we seen snow. The country we had passed was well adapted for farming; of course some of the land is rocky but on the whole it is a fine country.

At the head of Babine Lake there is a fine site for a town, and a good harbour could be made; a stream runs down which would supply a town with water. This is what I call the head water of the Skeena River; the lake is navigable for steamers, and 100 miles in length.

From here to Stuart's Lake there is a portage over a good trail, through the finest grove of cotton wood I have ever seen, to Stuart's Lake: the ground was thickly strewed with yellow leaves, giving the scene quite an autumnal appearance, and presenting a picture far different to what we expected in this part of British Columbia.

Six miles from Babine we came to a small lake where were some Indians herring fishing; on our approach they appeared undecided whether to run or remain; I asked them for some food and they soon provided us with some fish, which refreshed us much; having paid for our repast, we started again. From here a small stream runs, a distance of four miles to Stuart's Lake.

Arrived at Stuart's Lake, we found no means of crossing, no Indians to direct us, and no food to sustain us; nor had we any shot to enable us to kill ducks. We camped here three nights without food, sleeping the greater part of the time to stifle our hunger.

The only thing that supported us was the grand idea of the enterprise we were engaged in—that of being the first party to explore the route from the Pacific to Fraser's River, which will one day connect the Atlantic with the Pacific Ocean.

BRITISH
COLUMBIA.

Commences by
land.

Fine farming
country.
Chain of Lake.

Bears.
Snowy Moun-
tains.
Indian villages.
on the Skeena
river.

Naas Glee.

Great difficulty
with the
Indians.

Salmon fishery.

Leave Naas
Glee.

Character of
land.
Absence of
Pine.

Whatatt.
Babine lake

Fort Killamours.
Good land.

Description of
Babine lake.

Head waters of
Skeena river.

Portage to
Stuart's lake.

Arrival at
Stuart's lake.
Destitute state.

BRITISH
COLUMBIA.Embark on the
lake.

Timely succour.

Friendly Indian
on the lake.Prospect of
gold.

Good land.

Arrive at Fort
St. James.Distance from
Stuart's lake to
mouth of
Skeena river.
Fellow tra-
vellers.

We had, meantime, to see what could be done to free us from our present difficulties. One of our party found on old canoe split to pieces; this was rigged on a raft of logs as well as circumstances would admit.

I returned to the Indians above mentioned, and purchased a few herrings. I walked back to our camp with difficulty, and found my limbs giving way. Next morning we started on our frail raft, expecting every moment she would go down. We were obliged to sit perfectly still, as the least movement would have upset us. A slight breeze sprung up, and a small sea washed over us: and we had to run for a lee shore, where kind Providence sent an Indian to succour us. He welcomed us with a bonjour, invited us to his lodge, and gave us most excellent salmon trout, taken from the lake. We had at last reached here, with thankful hearts for our preservation through so many dangers. We stayed a night with this Indian, and next day gave him a blanket to take us to the Fort. We abandoned our old canoe without regret, and proceeded towards our destination. The Indians all along here were very kind to us, and seem a good set of people. About half-way across Stuart's Lake we obtained a small prospect of gold. On the north side of the lake, for about 20 miles, the ground is rocky, but south, towards the Fort, the land is as good as can be, and will produce anything.

We reached Fort St. James on the 9th October, and were received by Mr. Peter Ogden with that kindness and hospitality I have always found at the Hudson Bay Company's posts.

The Fort is very much exposed to all the winds, and I found it colder here than anywhere on the journey.

Stuart's Lake is 50 miles long; the portage to Babine 10 miles; Babine Lake 100 miles; from Naas Glec to Fort Simpson 650 miles; and 200 miles from Fort Simpson to Gold Harbour, Queen Charlotte's Island.

The names of the two men who accompanied me were William Manning, an Englishman, and Frank Choteau, a French Canadian. It is possible that I shall prospect the Fraser a little farther this fall.

His Excellency Governor Douglas,
&c. &c. &c.

I have, &c.,
(Signed) WILLIAM DOWNIE.

EXTRACT from the "Pioneer and Democrat," 4th November 1859.

From the "Dalles Journal," October 21.

NEW and RICH GOLD DISCOVERIES on the SI-MIL-KA-MEEN RIVER.

An expressman, named McGuire, arrived at the Dalles in the early part of the week from Captain Archer's command, reports the discovery of rich gold diggings on the Si-mil-ka-meen river, about five miles from the camp. According to our informant, the discovery is confined to a small bar on the river, which is being worked by soldiers, quartermaster's men, and a large number of Indians. The men from camp go down after breakfast, walking a distance of five miles, and working not more than half a day, average about \$20 to the hand. This is without the ordinary conveniences for mining, and with nothing but picks, using frying-pans for washing out. With "rockers," it is estimated that from \$50 to \$200 to the hand could readily be taken out. We have not learned that any of the neighbouring bars have been prospected, but it can scarcely be possible that the rich deposits are confined to one locality; and when a thorough examination is had, it is more than likely that rich strikes will be made all along the course of the river. Mr. McGuire, who is represented to us as an entirely reliable man, says that he himself visited the diggings, and saw the miners at work, taking out gold at a rate fully equal to that stated. It is represented that the officers in command are very anxious to conceal all knowledge of the discovery, they apprehending an immediate rush, that in the present condition of the country must be attended with great privations. The nearest point at which supplies necessary to the miner can be obtained is Colville, which is over 100 miles distant from the newly discovered mines. The Indians, too, are represented to be decidedly hostile; and inasmuch as the troops are about to remove, miners would be exposed to constant attacks from savage foes. We mention these facts as a caution against a wild and headlong rush, but should the mines prove half as rich as represented, not all these dangers twice over would serve to check the crowd of gold hunters that from all quarters will hie to the new El Dorado. The expressman who brings this news, says that he has been all through the California mining districts, but no where has he seen dirt that prospected so well as that at the Si-mil-ka-meen gold mines. The discovery, we are told, was made by Sergeant Compton, in whose honour the locality has been named "Compton Bar."

The effect of this news has been to create quite an excitement in our town; but as yet we hear of no departures for the new gold mines. Should the next advices confirm these startling reports, we may expect to witness a stampede scarcely equalled by that to Fraser River.

Since writing the above, we have been permitted to make the following extracts from letters received at this place from officers of the army, attached to the boundary survey.

Although the discoveries made are to a very limited extent, yet they prove what we have heretofore asserted as our belief in the existence of gold in that part of Washington Territory, and the Upper Columbia, to be correct.

It is now, however, too late to prosecute the investigation this season, but we do not entertain a single doubt that during the next spring and summer developments will be made which will establish the fact of that part of the country being—as we have always believed it was—equal, in mineral wealth, to any part of California or Mexico.

EXTRACTS FROM LETTERS.

Camp Si-mil-ka-meen, Oct. 8, 1859.

* * I am detached with 14 men at the N. W. B. station on the Si-mil-ka-meen, about 12 miles from its mouth. * * On the 6th, my sergeant showed me the result of six pans which he washed

and we found it to be worth \$6. On the 7th, two men obtained \$20 each; others from \$5 to \$15. We have no tools or conveniences, and the men know but little about digging gold. I give you the simple facts, and shall make no comments. * * * It is much coarser gold than any found on Fraser River, some pieces weighing \$2 to \$50.

This river is very incorrectly mapped, as it is 150 miles long, with numberless tributaries. It is a swollen mountain torrent till the middle of July, so that it is late before it can be worked. It is my opinion that this gold was washed out of the hills contiguous, this year, as these diggings thus far have been on the surface only. You know that gold will always, if you give it time, find its way to the bed rock. I do not know that they will be developed soon as we shall leave here in 10 or 12 days, and it will not be safe for a small party to attempt to mine. These Indians want a severe thrashing, and then the country can be traversed with safety. Our command has kept them civil, otherwise there would have been the devil to pay as usual.

Camp Osoyoos, W. T., Oct. 10, 1859.

* * * As many gold-fevered letters were doubtless dispatched by the regular mail, it may be important to the excitable population of your city, to have correct accounts from the diggings. It is true that a rich placer, yielding from \$10 to \$30 a day to the hand, has been discovered, ten miles above the forks—but the gold is confined to a single locality, the extent of which is not more than 25 by 10 yards.

White, whom I sent out to prospect the stream for four or five miles above and below the placer, has failed to find it in remunerative quantities at any other point. It seems to be the opinion of experienced California miners that, rich as the placer is it will be worked out in less than two weeks, and that there is no more gold on the river worth mining.

I mention all this in order to prevent men who may have heard exaggerated accounts from coming this fall. Possibly next spring or summer, miners might come and discover something better, but to come from the Dalles now would end in nothing but suffering and disappointment.

I was always confident that gold existed in the mountains of this territory, and expected a discovery by some one of the many expeditions which went out last spring.

No. 30.

No. 30.

COPY of DESPATCH from Governor DOUGLAS, C.B., to his Grace the
DUKE OF NEWCASTLE.

(No. 239.)

Victoria, Vancouver's Island, December 22, 1859.

MY LORD DUKE,

(Received February 14, 1860.)

I HAVE the honour of transmitting herewith the copy of a Proclamation providing for the establishment of courts in British Columbia, to enable suitors to recover debts not exceeding in value the sum of 50*l.* sterling by a cheap and speedy method. The practice of the Supreme Court was found to be too slow and expensive to meet the exigencies of suitors in the recovery of small debts, which were not unfrequently abandoned in preference to incurring the expense of seeking redress at that tribunal.

2. Many abuses had grown out of that state of things, together with a general want of confidence, and an almost entire stoppage of credit transactions, to the great injury of the mining population, who require advances to enable them to carry on their operations.

3. The evil was not felt under the form of government established previously to the Proclamation declaring English law in force in the colony of British Columbia, which issued on the 19th day of November 1858, as justices of the peace were before that event necessarily invested with very extensive powers, which they exercised to the satisfaction of the public, who overlooked occasional deviations from the strict letter of the law, in the security enjoyed, and the amount of public good achieved.

4. There is a general feeling in the colony in favour of the re-establishment of that system, which would, however, be inconsistent with English law, and the Attorney General has framed the Act, now herewith transmitted, to accomplish the desired object of facilitating the recovery of small debts by a process rapid and yet not expensive to suitors.

5. The additional expense to the colony will be inconsiderable, as the whole business of the new courts is to be conducted by the present stipendiary magistrates, with the single addition of Mr. Elliot, an English barrister, whose salary of 200*l.* a year will be paid from fees.

6. The "Joint Stock Companies Act" has also in view the encouragement of mercantile enterprise and the formation of joint stock companies, by restricting the liability of shareholders to the amount of their investments in those concerns, and relieving them from further responsibility.

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BRITISH
COLUMBIA.

7. Those Acts are both much needed, and will be of great advantage to the colony.
 8. The reports of the Attorney General, fully explaining the character of the Acts, are also herewith transmitted for your information.

I have, &c.
 (Signed) JAMES DOUGLAS,
 Governor.

His Grace the Duke of Newcastle,
 &c. &c. &c.

Encl. 1 in
No. 30.

Enclosure 1 in No. 30.

(No. 14.)

PROCLAMATION.

By his Excellency JAMES DOUGLAS, Companion of the most Honourable Order of the Bath, Governor and Commander-in-Chief of British Columbia, Vice Admiral of the same, &c., &c.

WHEREAS under and by virtue of an Act of Parliament made and passed in the Session of Parliament held in the 21st and 22nd year of the reign of Her Majesty Queen Victoria, intituled an "Act to Provide for the Government of British Columbia," and by a Commission under the Great Seal of the United Kingdom of Great Britain and Ireland, I, James Douglas, have been appointed Governor of the said colony, and have been authorized by Declaration under the public Seal of the said colony, to make laws, institutions, and ordinances for the peace, order, and good government of the same; and

Whereas it is expedient to afford a clear and speedy method of recovering small debts and demands in British Columbia,

Now, therefore, I, James Douglas, Governor of the said Colony, do proclaim and do declare as follows, viz.:

1. Every person whom I may from time to time hereafter commission to act as a County Court Judge in British Columbia shall, from the date of his commission, be authorized and empowered to hear and determine all personal pleas and all actions of tort cognizable by the County Courts in England in manner hereafter mentioned.

2. So much of the enactments of the 8th and 10th Victoria, chap. 95, entitled an Act for the more easy recovery of small debts and demands in England as are applicable to this colony shall be adopted by the County Court Judge.

3. The amount recoverable before any County Court Judge in British Columbia shall not exceed the sum of 50*l*.

4. The duties of the clerk of the Court appointed in England shall be performed by the County Court Judge himself.

5. The duties of the High Bailiff, appointed in England, shall be performed by the Sheriff of British Columbia, or by any Deputy Sheriff of British Columbia.

6. The practice and procedure in the County Courts, over which such County Court Judge shall preside, and the fees to be taken therein shall, as herein mentioned, and until altered by some rule or order to be made as hereinafter mentioned, be the same as in the Inferior Court of Civil Justice, in Vancouver Island.

7. The County Court Judge shall have a power of granting a *capias ad respondendum*, in all cases of debt of the amount of 20*l*. or upwards.

8. Any three of the County Court Judges, and also the Judge of the Supreme Court of Civil Justice in British Columbia, may make rules and orders for the governance of the County Courts of British Columbia, which rules or orders shall be of full force when confirmed by the Governor of British Columbia, and the Judge of the Supreme Court of Civil Justice of British Columbia.

9. All fees shall from time to time be paid into the Treasury.

10. This Act may be cited for all purposes as the "British Columbia Small Debts Act, 1859."

Issued under the Public Seal of the said Colony, at Victoria, Vancouver Island, this tenth day of December, in the year of our Lord one thousand eight hundred and fifty-nine, and the twenty-third year of Her Majesty's Reign, by me,

JAMES DOUGLAS. (L. S.)

By Command of his Excellency,
 WILLIAM A. G. YOUNG,
 Acting Colonial Secretary.

GOD SAVE THE QUEEN.

Encl. 2 in
No. 30.

Enclosure 2 in No. 30.

(No. 15.)

PROCLAMATION.

By his Excellency JAMES DOUGLAS, Companion of the Most Honourable Order of the Bath, Governor and Commander-in-Chief of British Columbia, Vice-Admiral of the same, &c.

WHEREAS under and by virtue of an Act of Parliament, made and passed in the session of Parliament held in the 21st and 22nd years of the reign of Her Majesty Queen Victoria, intituled an Act to provide for the "Government of British Columbia," and by a commission under the Great Seal of the United Kingdom of Great Britain and Ireland, I James Douglas have been appointed Governor of the said Colony, and have been authorized by Proclamation under the Public Seal of the said Colony, to make laws, institutions and ordinances, for the peace, order, and good government of the same; and

Whereas doubts have arisen whether the Joint Stock Companies' Acts 1856, 1857, and 1858, apply to British Columbia.

Now, therefore, I, James Douglas, do hereby declare, proclaim, and enact as follows:—

1. That the said Acts shall be taken, construed, and read together, and be taken and deemed to extend to the Colony of British Columbia except as herein-after mentioned.

2. The third section of the Joint Stock Companies' Act, 1857, shall not apply to mining companies in British Columbia.

3. The eleventh section of the said Act shall not come into operation until the imposition of a stamp duty in British Columbia.

4. The power given to companies to empower any person as their attorney to execute deeds on their behalf in any place not situate in the United Kingdom, shall not apply to the execution of deeds in British Columbia, and shall include a power to empower an attorney as aforesaid to execute deeds in the United Kingdom.

5. That the reports to be made to, and the powers and duties vested in and imposed upon the Board of Trade by the said Acts, shall be vested in and imposed upon the Attorney-General of British Columbia until some other person or authority shall be nominated by the Governor for the time being, of British Columbia.

6. That until some other person or authority shall be nominated as aforesaid, the Attorney-General of British Columbia shall be the Registrar of Joint Stock Companies.

That the aforesaid "The Court" in the said Acts defined shall mean the Supreme Court of Civil Justice of British Columbia.

That the "official liquidator" in the 88th section of the said Act, particularly mentioned shall be in every case appointed by the said Supreme Court of Civil Justice of British Columbia.

That the several powers by the said Act vested in the Lord Chancellor of Great Britain, shall be vested in the Judge of the Supreme Court of Civil Justice of British Columbia, who may make all rules which the Lord Chancellor of Great Britain is by the said Acts empowered to make, such rules when made, to be approved of by the Governor for the time being of British Columbia.

That any person may be appointed by the Judge of the Supreme Court of Civil Justice of British Columbia to act as a special commissioner to take evidence.

Notices by the said Acts required to be published in the London, Edinburgh, and Dublin Gazettes, shall be published in the official Gazette of British Columbia.

The fees to be paid under the said Acts shall be paid by the person receiving the same into the Treasury of British Columbia.

This Act may be cited for all purposes as the "British Columbia Joint Stock Companies' Act, 1859."

Issued under the Public Seal of the said Colony, at Victoria, Vancouver Island, this tenth day of December, one thousand eight hundred and fifty-nine, in the twenty-third year of Her Majesty's reign, by me,

JAMES DOUGLAS. (L.S.)

By Command of his Excellency.

WILLIAM A. G. YOUNG,
Acting Colonial Secretary.

GOD SAVE THE QUEEN.

No. 31.

No. 31.

COPY of DESPATCH from Governor DOUGLAS, C.B., to his Grace the
DUKE of NEWCASTLE.

(No. 240.)

Victoria, Vancouver's Island, December 22, 1859.

MY LORD DUKE,

(Received February 14, 1860.)

I HAVE the honour of transmitting herewith for your Grace's information the copy of a Proclamation issued on the 2nd day of December instant, imposing a charge of 12s. per ton on all goods transported or taken from New Westminster to any place in British Columbia, to be paid by the carrier of the goods to the collector of Her Majesty's customs at New Westminster.

2. This is simply a revenue Act, intended to raise a fund to be applied to the opening and improvement of the navigation in the Fraser and Harrison Rivers, and especially to the removal of an extensive shoal in the latter, which renders it impassable by the river steam vessels for a great part of the year.

3. The tax has not excited the smallest feeling of discontent even among the proprietors of steam vessels, who are acquainted with its object, and expect to derive many advantages from the improvement of the navigation.

I have, &c.

His Grace the Duke of Newcastle,
&c. &c. &c.

(Signed) JAMES DOUGLAS,
Governor.

BRITISH
COLUMBIA.
Encl. in No. 31.

Enclosure in No. 31.

(No. 16.)

PROCLAMATION.

By his Excellency JAMES DOUGLAS, Companion of the most Honourable Order of the Bath, Governor and Commander-in-Chief of Her Majesty's Colony of British Columbia, and its Dependencies.

WHEREAS, by virtue of an Act of Parliament made and passed in the 21st and 22nd years of the reign of Her most Gracious Majesty the Queen, and by a Commission under the Great Seal of the United Kingdom of Great Britain and Ireland, in conformity therewith I, James Douglas, Governor of the Colony of British Columbia, have been authorized by Proclamation issued under the Public Seal of the said Colony, to make laws, institutions, and ordinances, for the peace, order, and good government of the same.

And whereas it is expedient to raise further revenue for the purpose of opening and improving the communications, navigation, and roads in British Columbia.

Now, therefore, I do hereby declare, proclaim, and enact as follows:

That the following monies and tolls shall be levied on all wares, goods, and merchandise, carried in British Columbia from the 1st of January 1860:—

Twelve shillings for every ton of wares, goods, and merchandise transported or taken from New Westminster to any place in British Columbia.

The said twelve shillings per ton shall be paid by the person proposing to take away or transport any wares, goods, or merchandise aforesaid to Her Majesty's Collector of Customs at New Westminster, before taking away or transporting any such wares, goods or merchandise from New Westminster aforesaid.

The ton aforesaid shall be calculated where the wares, goods, and merchandise are of a character generally estimated by admeasurement by admeasurement, and in all other cases by weight.

Whenever any wares, goods, or merchandise shall be proposed to be carried or transported from New Westminster as aforesaid, by any common carrier, either by land or water, whether on his own account or on account of any other person, the tolls and monies aforesaid shall be levied on and payable by the common carrier aforesaid.

Any person wilfully evading or attempting to evade the payment of the same, shall be fined treble the amount of toll, or any sum not exceeding 100*l.*, at the discretion of the magistrate.

Any penalty under this Act may be recovered and enforced before any magistrate in British Columbia in a summary way.

Issued under the Public Seal of the said Colony, at Victoria, Vancouver Island, this Tenth day of December 1859, in the Twenty-third year of Her Majesty's Reign, by me,

JAMES DOUGLAS. (L.S.)

By command of his Excellency.

WILLIAM A. G. YOUNG,

Acting Colonial Secretary.

GOD SAVE THE QUEEN.

No. 32.

No. 32.

COPY of DESPATCH from Governor DOUGLAS, C.B., to his Grace the DUKE OF NEWCASTLE.

(No. 241.)

Victoria, Vancouver's Island, December 23, 1859.

(Received February 14, 1860.)

(Answered No. 12, February 28, 1860, page 108.)

MY LORD DUKE,

I HAVE the honour of transmitting herewith, at the request of Colonel Moody, the accompanying copy of a communication from him respecting the portions of land which it may be desirable to reserve in Burrard's Inlet for naval purposes, and to inform your Grace that I will immediately enter into communication with Admiral Baynes on the subject, and will direct the Commissioner of Lands and Works to make such reserves for naval purposes as the former officer may deem expedient.

I have, &c.

His Grace the Duke of Newcastle.
&c. &c. &c.

(Signed) JAMES DOUGLAS,
Governor.

Encl. in No. 32.

Enclosure in No. 32.

SIR,

PERSONS are now beginning to apply for lands on Burrard's Inlet, and as that port has been deemed by naval authorities to be of considerable naval importance, partly in consequence of its close proximity to this city and the river Fraser, I have the honour to submit that it is of immediate consequence to communicate with the Admiral Commanding-in-Chief, fortunately now at Esquimalt, that he may be pleased to express his opinions as to the portions it is desirable should be reserved for naval requirements.

I should feel obliged by your causing a copy of this letter to be forwarded for the information of the Secretary of State.

His Excellency Governor Douglas.

I have, &c.
(Signed) R. C. MOODY,
Colonel.



MAP
OF A PORTION OF
BRITISH COLUMBIA.
COMPILED FROM THE SURVEYS & EXPLORATIONS
OF THE
ROYAL NAVY & ROYAL ENGINEERS,
AT THE CAMP NEW WESTMINSTER
NOV^R 24TH 1859



Reference.

Exploration by Lieut ^r Palmer, R.E. May & June 1859, marked thus:	-----
do. " Lieut ^r Mayne, R.N. May 1859,	-----
do. " Lieut ^r Palmer, R.E. Sept ^r & Oct ^r 1859,	-----
Practicable Roads,	-----

No. 33.

COPY of DESPATCH from Governor DOUGLAS, C.B., to his Grace the
DUKE of NEWCASTLE.

BRITISH
COLUMBIA.
No. 33.

(No. 1.) Victoria, Vancouver's Island, January 9, 1860.
(Received March 5, 1860.)
MY LORD DUKE,
I HAVE the honour to transmit herewith, for your Grace's information, a report, with maps, of a journey made by Lieutenant Palmer, R.E., from Fort Hope to Fort Colville in September 1859.
His Grace the Duke of Newcastle, I have, &c.
&c. (Signed) JAMES DOUGLAS,
&c. Governor.

Enclosure in No. 33.

Encl. in No. 33.

SIR, Royal Engineer Camp, New Westminster,
British Columbia, Nov. 23, 1859.
IN obedience to instructions furnished me by Captain R. M. Parsons, R.E., I hasten to lay before you a short report, topographical and otherwise, on the country between Fort Hope on the Fraser and Fort Colville on the Columbia River.

I deem it the better plan, and one calculated to give you as much information as a hurried reconnaissance can develop, to describe separately each day's journey, dwelling on such points of interest as presented themselves on the route, and embracing as much minutiae as a simple and rapid topographical report will admit of.

With the assistance of an excellent chronometer and a sextant I was enabled to fix the astronomical positions of nearly all my camps, the longitudes having reference to the Royal Engineer observatory at this place.

The report is accompanied by a geographical map on the scale of five English miles to one inch of the route, and the country in its vicinity, and a table is annexed showing the latitudes and longitudes of my camps, their approximate altitudes in feet above the sea level, as determined by aneroidal observations, their distances from one another, and their respective availabilities, for wood, water, &c.

I beg further to state that I took the liberty of furnishing Mr. Begbie, Chief Justice of British Columbia, (who travelled part of the way with me) with the approximate latitudes of a few of our camps, as a means of guiding him in the construction of a reconnaissance sketch of the route from Fort Hope to Fort Kamloops.

It being too late by the time my work was completed to recross the Cascade mountains I took the Columbia River route to Portland, crossing thence to Olympia, and reached this place on the 4th instant. Since, however, I am anxious to lay this report before you as quickly as possible, I shall have the honour to afford you further information in a second report with reference to personal instructions.

In conclusion, I take this opportunity to acknowledge the kindness and courtesy of Mr. Angus McDonald, of the Hudson Bay Company, who furnished me with horses from Fort Hope to Fort Colville, and gave me much local and general information about the country, on which, from his great experience and long residence in this part of the world, I feel assured every reliance is to be placed.

I have, &c.
(Signed) H. SPENCER PALMER,
Lieutenant Royal Engineers.
Colonel R. C. Moody, R.E.
&c. &c.

P.S.—November 24th. I have the honour further to annex to my report a map on a scale of 20 miles to one inch of such portions of British Columbia as have been already surveyed and explored by the Royal Navy and Royal Engineers.

This map has been prepared with the view of indicating the relative positions of the inlets on the coast and the inhabited portions of British Columbia, also in illustration of the opinions expressed in the military section of my report.

I have, &c.
(Signed) H. S. PALMER,
Lieutenant Royal Engineers.

COPY OF INSTRUCTIONS.

SIR, New Westminster, September 8, 1859.
You will proceed from New Westminster to Fort Hope, attach yourself there to a party of gentlemen in the Hudson Bay Company's Service under the command of Mr. Angus McDonald, and travel with them to Fort Colville.

The object of your mission is to gain information on the country lying between Fort Hope and the 49th parallel of latitude, where it meets the route to Fort Colville.

To this end you will freely communicate with Mr. McDonald, a gentleman of great information, who has travelled much in this country, and is kindly disposed to assist your inquiries.

BRITISH
COLUMBIA.

You will take with you such instruments as are necessary to determine a few positions astronomically, and to establish the general course of your route.

As it is not practicable for me to give you detailed instructions as to what objects most merit your attention in a region of which we know so little, I confide in your habits of observation, impressing upon you the necessity of keeping full notes of your journey, and of the general nature and result of your inquiries, day by day.

It seems desirable that you should note daily the hours of your travel, and estimate the distances accomplished; this will assist you in confining your descriptions of the topography of the region within their proper limits.

In describing the general features of the country I request you will pay attention to the following points:—

From Fort Hope to Manson Mountain, is there any land available for agriculture; describe carefully the route across Manson Mountain; does it appear to be a continuous range joining Mount Baker; is it densely wooded; what is its geological formation and the general bearing of its crest; inquire if there are more passes than one; could the trail be carried round the mountain on either flank; between what months is the mountain covered with snow; is the route then impracticable; is there any eligible site for a military post on the frontier slope, or anywhere near the pass with which a communication could be kept open throughout the year?

Describe the Similkameen Valley; its adaptability to settlement; if inhabited by Indians state how they live, and if they have in any way cultivated the soil; is there any building material to be found in the valley; is fuel abundant; is it so open that it can be crossed on horseback in any direction at will; is there any position on the plain, or near the confines of it in our territory, where a post could be established that would command the routes to British Columbia from Washington Territory; what access is there to this plain from Fort Thompson; is any trail known from Fort Langley or Whatcomby?

Describe the Tulameen and Similkameen Rivers and their banks.

You will describe, as far as practicable, the geological formation of the country through which you pass, noting carefully if you meet with it the locality of a change from trappean to stratified rocks; out-cropping rocks on the plains should be paid attention to, river banks inspected, and the character of boulders and detritus given.

Astronomical observations are requested to be made, as frequently as possible, at points on your route that can hereafter be readily recognized; among them I would suggest the point where the route first crosses the Tulameen River; the junction of that river with the Similkameen and some point on the plain near the 49th parallel.

The bearings on your route will be determined with the prismatic compass, also the courses of the rivers as far as possible. Observations should be taken to conspicuous hills and up valleys, especially from the points fixed astronomically. It will be desirable if you can employ the Aneroid barometer for altitudes.

You will not stay at Fort Colville longer than is necessary, but make arrangements to return to head-quarters in the quickest and most economical manner; to this end you will consult Mr. McDonald, who is certain to render you valuable assistance.

On your return you will frame your report to the officer commanding with the least possible delay.

I have &c.

(Signed)

R. M. PARSONS,

Captain R. E. commanding.

Lieutenant Palmer, R. E.

REPORT on the Country between Fort Hope on the Fraser and Fort Colville on the Columbia River, by Lieutenant H. SPENCER PALMER, Royal Engineers.

PART I.—TOPOGRAPHICAL JOURNAL.

September 9th to 16th.—In compliance with my instructions I left New Westminster on the 9th of September last, and after a somewhat tedious trip reached Fort Hope on the morning of the 11th.

Unfortunately the weather during my stay there was anything but favourable for astronomical observations, but I succeeded in obtaining sufficient to verify previous results and to afford me a good chronometer rate. The position of Fort Hope, and the principal natural features of the country in its vicinity, have probably been already so well made known, that it appears unnecessary to enter into any minutiae respecting them.

I may, however, state that the fort stands on the left bank of the Fraser, in lat. $49^{\circ} 22' 21''$ N., long. $121^{\circ} 24' 39''$ W., about 85 miles by water above New Westminster. The only means of access to it from the lower country at present existing are two, viz., the steamer route on the Fraser, practicable for powerful vessels at all seasons, and a trail from Whatcom* cut last year by miners, which passes to the southward of Langley, and, joining the Fraser 50 miles above, follows up its left bank to Fort Hope.

The site of the town and fort is in the heart of the mountains, not the Main Cascade Range, but spurs from six ridges parallel to it, which extend down either bank of the river for some 15 miles and upwards for a much greater distance.

The river Coquahalla, which rises in the Cascades, has a general westerly direction from seven miles above its mouth downwards, and, taking a bend to the N.W., $1\frac{1}{2}$ miles behind the town, empties into the Fraser $2\frac{1}{2}$ miles above it.

It is in the embouchure of the valley of this river that the town of Hope is situated, and up this valley runs the route which forks to Manson's Mountain and Boston Bar, the former an old Hudson Bay trail, the latter cut this summer by a party of Royal Engineers, under the direction of Captain Lempriere, R.E.

The most prominent mountain visible from Fort Hope is Ogilvie's Peak, bearing N. 58° E. (true) and distant four or five miles in an air line. A glimpse can occasionally be had in clear weather of the summit of Manson Mountain, bearing N. 88° E., a bearing I afterwards found to correspond pre-

* Whatcom is a town in American territory situated on the Gulf of Georgia.

cisely with an observation for latitude obtained near that point, and which gave me great confidence in the accuracy of my results.

September 17.—On the 17th of September I left Fort Hope, in company with Mr. Angus M'Donald, of the Hudson's Bay Company, and commenced my journey up the Coquahalla Valley.

Mr. Begbie, Chief Justice of British Columbia, Mr. Bushby, Registrar, and Mr. O'Reilly, J.P., who were travelling to Fort Kamloops on judicial business, accompanied our party on foot.

Taking a general easterly direction our route up the valley for the first three miles passed through a country level and lightly timbered, and covered in places with an abundance of brush and young trees.

The soil appeared somewhat sandy and light, but good for farming, and this portion of the valley is as well irrigated as any land (that is capable of cultivation) I have met with in British Columbia.

Three miles east of Fort Hope two conical hills, from 600 to 800 feet high, obstruct the otherwise generally straight course of the river, and have forced it to find a passage between them and the mountain mass skirting the southern limits of the valley. To avoid this unnecessary circuit, the trail crosses the Coquahalla $1\frac{1}{2}$ miles from Hope, and, leaving it to the right, follows the level country to the base of the first hill. Near this spot lies a pretty little lake, to which I could see no outlet or inlet, and which was apparently fed by springs and the drainage from the mountains. Towering above its opposite shores were the steep rocky cliffs of "Ogilvie's" and adjacent peaks so close as to be clearly reflected in the dark still water of the lake, and a tiny cascade stealing down the crooked crannies of the mountain with a scarcely perceptible motion added to the picturesque beauty of the spot.

Leaving the lake, we crossed the two conical hills before us, and rejoined the Coquahalla three miles further on. While traversing the southern slope of the second of these two hills Mr. M'Donald drew my attention to what was apparently a large defile in the mountain range, bearing S.E. about 20 miles, and leading, as far as I could judge at that distance, through the main Cascade Range eastward.

That part of the country having never yet been explored, this opinion is simply a matter of conjecture. Much yet remains to be done in order to discover some more feasible pass to our possessions east of the Cascades than that afforded by Manson Mountain, and it is the opinion of many old residents in the country that passes do exist, which have yet to be explored, south of the present one, but, at the same time, north of the boundary of British North America.

After rejoining the Coquahalla we travelled along its right bank for about one mile, and then, leaving the Boston Bar trail trending north, up the valley of the river, we crossed to its left bank a mile west of the foot of the most prominent spur from the Manson Range. On arrival at the foot of this spur, we commenced the ascent on the southern slope in a direction parallel, or nearly so, to its crest, leaving the mass of the mountain intervening between us and the Coquahalla. Here the road, which thus far had been tolerably good, deteriorated to an extent anything but pleasant, a rude, rocky track wound its way along the steep sides of the mountain over hundreds of fallen logs and amongst masses of fragmentary rock that have from time to time been detached from the precipices above, and, on attaining a higher elevation, mud, one of the few disagreeables of a mountain journey in the Cascades, and deep enough to debar any but Indian horses from forcing their way through it, rendered travelling a matter of considerable difficulty, and added a scarcely agreeable feature to a landscape already somewhat limited.

Six miles of this travelling brought us to the first camping place, where a slight opening in the woods enabled me to discover the features of the country through which the latter part of our route had lain.

We appeared to have been travelling up a mountain pass walled in by two slightly converging spurs from the Manson Range, whose slopes, although separated at the opening of the pass by a considerable space, here meet and form a rocky defile, down the bed of which a swift brook forces its way, and, fed on its passage by numerous small streams and waterfalls, swells to the magnitude of a mountain torrent, and rushes into the Coquahalla a short distance below the point where we last crossed.

To the east I saw towering above us the steep portion of the main Manson Range, over which lay our to-morrow's journey, its crest running nearly North and South, and connecting the two spurs above mentioned.

This evening, the weather being beautifully clear, I was enabled to take stellar observations for latitude and departure, a piece of good fortune I had not anticipated, as the latter part of our route had been too densely wooded to admit of observing anywhere but in the slightly open place selected for our camping ground.

Wood and water were of course abundant, but the horses had to be fed on barley brought for the purpose, there being no grass in the neighbourhood or indeed anywhere on the mountain slopes.

September 18.—We rose at dawn, and soon commenced the laborious ascent of the mountain by a zig-zag trail, very steep and rocky, but, fortunately for ourselves and the horses, free from mud.

After struggling up this difficult mountain path for an hour and a half we reached the summit of the pass, the magnificent view from which fully compensates the traveller for the labour of the ascent.

Looking north, south, and east, the view embraced mountain scenery of a description scarcely to be surpassed.

As far as the eye could reach, an endless sea of mountains rolled away into blue distance, their sides clothed almost to the summits with an impenetrable forest of every species of pine, and their peaks and recesses lit up by the rays of the early sun, too early yet to lighten the gloomy valley below us.

Here and there a rugged naked peak towered up in bold relief some 1,000 feet or more above the summits of the adjacent ranges, spotted with occasional patches of snow in crevices never perhaps penetrated by the sunlight, and so complete was the net-work of mountains in which we were enveloped, that the question of "How we were ever to get out of them," which naturally occurred, appeared to me somewhat difficult of solution.

Looking west, the view of the Fraser valley was obstructed by the spurs between which we had travelled yesterday afternoon, and the only signs of its whereabouts were developed by a break in the otherwise interminable mountain mass.

BRITISH
COLUMBIA.

I endeavoured while on the summit to form as good an idea of the topography of the region as the time I spent there would admit of.

East of where I stood, and about five miles distant in an air line runs a mountain mass, bearing more resemblance to a range than the rest, whose summits are somewhat higher than those of the surrounding ridges, and the general direction of its crest about N.N.E.

From the fact of its being the dividing ridge between the tributaries of the lower Fraser and those of the Columbia I entertain no doubt that this is the backbone of the Cascade Range, but so undefined are its general features, and so remarkable is the absence of any prominent and distinguishing snow capped peaks, such as are visible from the "Dalles," and by which one may determine the general bearing of a range, that it is a matter of extreme difficulty to follow its direction with the eye for more than a few miles.

Apparently it forked with the Manson Range about 10 miles south of where I stood, but beyond that all traces of its direction were lost.

I was not able to see Mount Baker, but from general appearances and its known position I am of opinion that the network of mountains constituting the dividing range maintains a general south-south-westerly direction till it unites with that peak.

Between me and the main ridge was a deep glen or forest bottom, not free from mountains, it is true, but nevertheless a valley, down which pours in a considerable stream one of the head tributaries of the Coquahalla, uniting with it in about $49^{\circ} 35'$ north latitude, near northern extremity of the Manson Range.

Before closing my description of this mountain I may mention that the snow which in winter falls to a depth of from 25 to 30 feet on its summit, renders the route impracticable for at least seven months in the year, and dangerous before the 1st of June or after the 1st of October.

Mr. McLean of the Hudson Bay Company, who crossed in 1857 or 1858, on the 16th of October had a very disastrous trip, and lost 60 or 70 horses in the snow.

Traces of their deaths are still visible, and in riding over the mountain, and more particularly on its eastern slope, my horse frequently shied at the whitened bones of some one of the poor animals, who had broken down in the sharp struggle with fatigue and hunger, and been left to perish where he lay.

After riding along the summit in a southerly direction for a couple of hundred yards, we commenced the descent of the eastern slope, an undertaking which was accomplished with considerable difficulty, owing to the rocky and dangerous nature of the trail, and its extreme steepness in places, and I was not sorry to reach a tolerably level forest bottom 1,100 feet below the summit, filled though it was with an impassable mud of black decomposed vegetable matter, and a net-work of thick-growing and obstructive timber.

The trail follows this bottom for about five miles in a general south-south-easterly direction, a distance it took us $3\frac{1}{2}$ hours to travel, and then plunging into a deep glen crosses the previously mentioned tributary of the Coquahalla.

The western slope of the dividing ridge falls almost perpendicularly into this stream, and though less muddy than those of Manson Mountain, and tolerably free from rock, except in places where huge masses of debris detached from the summit have found a lodgment on the side of the hill, it is if anything steeper than the latter, though not so trying to animals.

The mountain sides are plentifully clothed with a forest of spruce fir trees of inconsiderable dimensions, and brush appears scarcer than heretofore.

The trail winds up the face of a huge spur from the mountain mass, jutting out in a south-westerly direction, and, steep though it was, our horses appeared to ascend with much greater ease than they did on the rocky muddy slopes of Manson's Mountain.

In two hours a considerable decrease in the density of the forest, and the appearance of short grass and mountain heather told me were nearing the summit; the timber shortly almost entirely disappeared, and as both men and horses were by this time tired, we camped towards evening in a pretty sheltered spot 600 feet below the summit known as the "Campment du Chevreuil."

At this camp No. 2 (19 miles by trail from No. 1), water and firewood are abundant, and grass, though by no means plentiful, grows on the neighbouring slopes in quantities sufficient to afford subsistence for horses.

Its name is likely to disappoint the expectations of the hungry traveller, as deer are very scarce, but white ptarmigan abound, and some of these birds which were shot by our Indians and broiled over the camp fire, made an excellent supper after our weary day's march.

It is here that Mr. Fraser met his death by a tree falling on him when asleep, and within a few yards of the spot where we had pitched our tent; a neat pile of rough hewn logs mark his lonely grave.

September 19th.—The day broke misty and cold, and afforded no great promise of an extensive view from the summit. I started early that I might have as much time there as possible, and reached the highest practicable point about half an hour after leaving camp.

The appearance of the mountain scenery at this hour was most singular.

The thick morning mist, rolling swiftly along in light, fleecy, but opaque masses, entirely obscured the valley below us, and revealing only a few lofty peaks of the adjacent ranges appeared to isolate us from the rest of the world.

Yielding to the rising sun, it ere long began gradually to lift; the peaks in turn became one by one concealed, and before I left the spot the whole had clear away, revealing to the north, south, and west the same lofty crests and ridges, and the same interminable sea of mountains that I had admired yesterday morning from the western summit.

To the east, however, the scene was different. True, the country was pretty closely packed with mountains, but unlike the bold and rugged outlines of the Cascade range, their slopes and summits were more soft and rounded in appearance; indications were, to be seen of extensive and probably fertile valleys, and tapering away in the far distance, the mountains seemed gradually to diminish their proportions, and to subside into rolling hills with grassy and scantily timbered slopes.

I was again disappointed in not seeing Mount Baker, as I had hoped the superior elevation of this range would have afforded me a much more extensive view to the southward.

I obtained, however, a bearing of S. 64° E. to a remarkable conical peak, which cannot fail to be recognized, and which affords an excellent land-mark to any one desirous of forming a general idea of the topography and limits of this portion of British Columbia.

In a region like this the grand proportions of the mountains are calculated to deceive the eye very much with respect to distance, and the transparency of the atmosphere materially assists the delusion when an object is viewed from the summit of a range. From its bearing, however, and probable distance, I conjecture it would be very close to the 49th parallel. I afterwards found that it is situated on borders of the southern portion of the Similkameen valley, near the junction of that river and the Okanagan, and as it transpired that the parallel cuts its northern slope, I named it "Mount Forty-nine."

At Mr. McDonald's suggestion I gave the mountain we stood on the Gaelic name "Stuchd-a choiré," from a beautiful "choiré" or recess situated about half way down its eastern slope.

On the summit, and invisible except from the rocks immediately surrounding it, lies a pretty sequestered little lake, guarded by one solitary stunted oak, and lower down on the eastern slope is a larger one, on whose banks, there being plenty of firewood, travellers from the eastward frequently camp.

The "Campment du Chevreuil" is, however, the usual camping place going westward. About 10 A.M., the horses having arrived, we commenced our journey down the eastern slope of "Stuchd-a choiré," a matter easily accomplished owing to the gradual nature of the descent.

Singularly enough this ridge, while separating the waters of the Fraser tributaries from those of the Columbia, seems also to draw a dividing line between the characteristic features of the country.

In the tract upon which we were now entering grass seemed more beautiful than heretofore, the forest less dense, and the trees of diminished proportions; in lieu of soft vegetable mould a firm soil of sand and clay rendered travelling far easier and more pleasant; and brush which during the last two days' journey had been so dense as almost to preclude the possibility of avoiding occasional obstructions on the trail, now so nearly disappeared as to admit of deviation at will.

After descending some 800 feet from the summit, we struck a small stream fed by still smaller forks branching off into ravines and clefts in the hills. These are the head waters of the "Tulameen," the main tributary of the Similkameen River.

A low range of hills varying from 500 to 1,000 feet in height skirt the valley or rather the glen of this mountain torrent, which for the first 10 miles has a general direction of E. by N., and the trail runs on its left bank, at an undulating level over the low spurs from the range.

For the first seven or eight miles the road, though excellent for travel, passed through a forest of small burnt timber, and the scarred and blackened trunks, devoid of foliage, presented a dreary and monotonous landscape.

I passed on my journey through several similar tracts of greater or less extent, but I think the mountain spurs and rocks and the bends of the rivers form, as a general rule, impediments to the spread of the fires, which confine them within reasonable limits, and prevent their effects from being so devastating as one might imagine.

About 12 miles by trail from the point where we first struck it, the Tulameen takes a long sweep to the northward, and crossing it here at a ford where it was about 15 yards broad and 18 inches deep, we camped on the opposite bank. This camp, designated No. 3, is about 15 miles by the trail from the "Campment du Chevreuil," and contains an abundance of firewood and water. The horses were driven across the river again to feed, but as grass was very scarce they had to pick what they could from the wild vetches and other plants, on which Indian animals alone can subsist.

September 20th.—Commenced cloudy and cold with light rain.

From the point where we were camped the Tulameen takes a large horse-shoe bend to the northward, resuming its easterly course about 10 miles from us in a straight line near the completion of the shoe. The bend is filled up by an elevated plateau 1,000 feet high, whence numberless low, sharp, broken spurs jut out in every direction towards the stream.

Over this plateau lay our to-day's journey, the trail taking this route to avoid the long detour made by the Tulameen.

Four miles travel in a north-easterly direction up a steep defile, between two of the spurs, brought us to the summit, and we emerged on a large open undulating down, where the timber nearly disappeared, and was replaced by quantities of yellow furze and mountain heath.

On a clear day the view from this plain must be very extensive. Now, however, the atmosphere in the west was too thick and cloudy to afford us a glimpse of "Stuchd-a choiré," through the snowy Cascade Peaks to the south, and "Mount Forty-nine" in the south-eastern horizon were just visible at times.

Preserving a general north-easterly direction we continued our journey across the plateau. The soil became very peaty and the trail rocky in some places, though generally good for travel. Ponds and marshes frequently occurred, grass in the latter growing to a considerable height, though on the drier portions of the plain it was scarcely long enough for a horse to nibble at, and five miles from the commencement of the plateau timber (fir) again became plentiful. A short way further on a trail from "Whatcom," cut last year by miners anxious to reach "Thompson River," forks with that on which we were now travelling.

On the exact route it takes, or the extent to which it is practicable for travel, I could collect no reliable information; but I believe it crosses the cascades in the vicinity of the parallel, and is generally a better trail than that over Manson Mountain.* At 2 p.m., after a short day's journey, we camped near the eastern extremity of the plateau, on the borders of a small, nearly circular, lake, half a mile in diameter, where wood was plentiful, and grass just sufficient for the horses to subsist on. In the evening a storm of snow and sleet gave us reason to congratulate ourselves on having snug tents and good camp fires; but as the sky remained overcast during the whole of our stay here, I was unfortunately prevented from taking any astronomical observations.

September 21.—The morning broke, cold, raw, and muggy; and the snow, which was some four or

* Possibly it passes through the defile observed from the conical hill in the "Coquahalla" valley. Its direction would suggest that idea.

BRITISH
COLUMBIA.

five inches deep, and still continuing to fall, scarcely contributed to the general comfort of either ourselves or our animals.

We decided not to move till the storm was over, which the Indians told us would be about noon, and their prediction proved correct; as shortly after that hour the snow ceased, the sky brightened, and we started as quickly as possible, anxious to reach the "Campment des Femmes" before nightfall.

We travelled this afternoon in a general north-easterly direction over a tract of country, lightly timbered and grassy on the uplands, but heavily timbered in the valleys.

The trail alternately rose and fell over a succession of low and rather precipitous ranges of hills, amongst the recesses of which the noisy waters of numerous small rivulets wind their tortuous paths, and uniting here and there in considerable streams force their way to various points on the Tulameen.

At 4.30 we reached the summit of the final steep descent of 600 feet to the river.

Immediately below us the "Tulameen," now swelled to the proportions of a river, whose course from the westward could be distinctly traced, takes a long stretch to the south-eastward, while running north. Opposite the spot where we stood extends a broad thickly timbered valley leading to the Nicholas Lake, and thence to Fort Kamloops.

Descending the hill we shortly reached the river, and leaving the Kamloops trail to our left traversed the right bank for a few hundred yards. Then, crossing at a ford, readily distinguishable, we pitched our tents at the "Campment des Femmes," so named from a custom prevalent among Indians en route for Fort Hope of leaving their women and children here while they perform the journey across the mountains.

The fine evening, and its position in a mild and pleasant valley, made camp 5 contrast agreeably with our last night's quarters, and some tolerable bunch grass afforded the horses a better meal than they had had since leaving Fort Hope. The stars, too, soon shone out, and with their assistance I was enabled to fix a point of considerable importance in connexion with the objects of my journey.

September 22. A fine clear morning. At this camp we bade good-bye to Mr. Begbie and party, who took the northern trail to Kamloops.

We followed the valley of the "Tulameen" in a general south-easterly direction along a level grassy river bottom rather scantily timbered and devoid of brush.

These bottoms vary in width from one-eighth to half of a mile, and the meanderings of the river cause them to alternate pretty regularly from side to side. The trail is generally good, but projecting rocky points and occasional slides from the mountains on our left now and then rendered travelling unpleasant. In one or two places the mountain spurs jutted precipitously into the river, and a rude rocky trail across the first practicable ledge would form the only means of access from bottom to bottom.

At mid-day we reached a point where the river takes a considerable bend to the south south-eastward, and to avoid the detour the trail passes to the eastward over a portion of the mountain range some 1,000 feet above the valley.

From the summit of this hill the country assumes a perfectly different character.

Bunch grass of excellent quality, probably the best known grazing food for cattle and horses, occurs everywhere in great quantities, forest land disappears from the slopes and gives way to a park-like country prettily ornamented with trees of somewhat inferior growth; the river instead of roaring through caverns and mountain bluffs is now bordered by low and easily accessible banks, and the eye of the traveller so long accustomed to the dull monotony of the forest dwells with pleasure on considerable tracts of prairie land in the valleys before him.

The everlasting mountains, it is true, do not disappear, but their rounded grassy slopes contrast favourably with the thick forest growth or bleak desolation of the western ranges, and though their summits tower up to considerable heights, the gradual nature of the slopes eliminates the rugged, unprepossessing, and inaccessible appearance so peculiar to the cascade region.

Immediately below us lay a large scantily timbered plain formed by the confluence of four considerable valleys. From the south a long tortuous line of willow and other trees marked the course of the "Similkameen," which rises in the mountains near the 49th parallel, and forks with the "Tulameen" in this plain.

The latter river enters from the N.W. and the two when united take an easterly course towards a third valley, the narrow entrance to which was plainly visible from our position, while running north a fourth, two miles wide, extends far away in the direction of Fort Kamloops. Up this latter valley runs one of the two main routes leading from Washington Territory to Fort Kamloops and the Upper Fraser, the other and shortest route past the Great Okanagan Lake lying altogether east of the Similkameen.

Descending the hill to the plain we crossed it in an easterly direction, and struck the Similkameen a mile below the Forks, and within a few hundred yards of the point where the Kamloops trail unites with that on which we were now travelling.

The junction of the two rivers is named the "Vermillion Forks," from the existence in its neighbourhood of a red clay or ochre, from which the Indians manufacture the vermilion face paint; but though I endeavoured to find its whereabouts, being anxious to procure a specimen, my search was unsuccessful.

We camped this evening on the left bank of the Similkameen one mile below the forks, and shortly after our arrival were visited by some of the natives of the district.

These were the first mounted Indians I had met with, and I was particularly struck with their vast superiority in point of intelligence and energy to the Fish Indians on the Fraser river and in its neighbourhood.

Agriculture, however, is but little known amongst them, and a few potato patches form the extent of their progress in this direction. They appear to live chiefly on fish, viz., trout and salmon, on game such as wild fowl, prairie chicken, and mountain sheep, and on wild berries, several kinds of which, including black and red cherries, abound in the neighbouring valleys.

The greater portion of the tribe were absent when we passed, but those who visited the camp were fine men, and superb riders, and, though poorly clad, evinced a neatness, and an effort to improve

their personal appearance, which contrasts favourably with the dirty, slovenly habits of the Fraser Indians.

The Romish religion is universal amongst them, propagated, I imagine, by the members of the Jesuit missions on the borders of Washington territory, and I was not a little surprised to see that, on entering camp, they invariably crossed themselves before making the sign of respect or salutation. Unlike the gaudy but picturesque native burial grounds which dot the banks of the rivers in the interior of British Columbia, the graves of these Indians are scattered about singly over the country, their wandering habits assigning no fixed place of abode, and a small earthen mound or pile of stones, surmounted by a wooden cross, were the only objects that marked the few solitary graves I happened to come across on the trip. I should mention that the "Similkameen" Indians are a portion of the Okanagan tribe, and speak the same language—one so guttural and unpronounceable as to render it almost hopeless for any white man to attempt to acquire a proficiency in it.

As our horses wanted a day's rest after their weary mountain journey, I decided to remain two nights at Camp 6, and the weather being fine and clear, I was again enabled to take astronomical observations. From these I obtained a mean latitude of $49^{\circ} 27' 42''$ N., showing a considerable error in all existing maps; but I feel confident of the accuracy of the observations, and that any future survey will verify the result obtained.

September 24 and 25. The weather continued fine and clear, and we resumed our journey at an early hour. Passing over one of the mountain spurs, 300 feet high, at the narrow entrance to the valley, the trail descends into a fine prairie, scantily timbered, and containing excellent bunch grass.

As the valley for the first 37 miles (comprising two days' travel) exhibits the same general features, one description will suffice to afford the necessary information.

Like most of the mountain streams, the Similkameen is extremely tortuous, and the prairies, which alternate pretty regularly from side to side, vary in width from one-eighth to three-fourths of a mile, gradually increasing till towards Camp 8 they attain a breadth in places of a mile.

The grass is generally of good quality, the prickly pear or ground cactus, the sore enemy to the moccassined traveller, being the surest indication of approach to an inferior description.

Timber is for the most part scarce on the prairies, but coppices appear at the sharp bends of the river tolerably well wooded, and abounding in an underbrush of willow and wild cherry, while near the base of the mountains it exists in quantities easily procurable, and more than sufficient for the requirements* of any settlers who might at some future time populate the district.

The soil is somewhat sandy and light, but free from stones, and generally pronounced excellent for grazing and farming; and though the drought in summer is great, and irrigation necessary, many large portions are already well watered by streams from the mountains, whose fall is so rapid as greatly to facilitate such further irrigation as might be required. In corroboration of my expressed opinion relative to the yielding properties of the soil, I may mention that in spots, through which, perchance, some small rivulet or spring wound its way to the river, wild vegetation was most luxuriant, and grass, some blades of which I measured out of curiosity, as much as nine feet high, well rounded and firm, and a quarter of an inch in diameter at its lower end.

The river throughout its entire course is confined to a natural bed, the banks being steep enough to prevent inundation during the freshets (a favourable omen for agriculture), and its margin is generally fringed with a considerable growth of wood of different kinds.

The mountains skirting either side of the valley are steep and frequently rocky, increasing in altitude towards Camp 8, where they attain a height of at least 2,000 feet, and their slopes are plentifully clothed with a forest of various descriptions of timber. The trail throughout is generally good, the mountain spurs at the bends and gorges of the valley, and down which slides frequently occur, being the only portions bad for travel, and many of these are avoided by fords, practicable at all seasons of the year.

Two considerable streams fork with the Similkameen from the south south-west, both of which rise in the cascades, or rather in the mountainous region east of the main range and near the 49th parallel.

The first, named the "Zloochman," unites with it about nine miles below "Vermillion," and an old "Carral," near the mouth, admits of its position being easily recognized. A trail follows the river for some distance into the mountains, leading to no particular place, and Indian hunters, the original makers, are probably the only people who frequent it.

The second, or "Na-is-new-low," river forks about 17 miles further down. Up its valley runs a tolerably good trail leading to the mountains near the parallel, and, as this route is both more practicable and shorter than that in the "Zloochman" valley, it has been used this autumn by the United States Boundary Commission for transporting eastward the whole of their stores, instruments, &c.

Several other mountain streams, some of them of considerable size, fork with the "Similkameen" from the northward and eastwards, but their directions and the positions of their sources are possessed of little interest.

September 26th.—A fine, mild morning. Travelling along from Camp 8, towards the Keereemaous bend of the "Similkameen," the valley gradually widens to upwards of a mile; the prairies become more extensive, and the soil richer; timber is chiefly confined to the uplands and banks of the river, and the mountains, though undiminished in height, are covered with grass, and assume a pretty park-like appearance.

We soon reached the bend, distant four miles from Camp 8, where the river changes its direction from east to south. Looking southward from the head of the bend is seen a fine open valley 12 miles long, varying from $1\frac{1}{2}$ to 2 miles in width at its upper and middle portions, and tapering to a narrow gorge at its lower extremity.

The river, after taking a bold sweep, runs along near the foot of a mountain range skirting the western edge of the valley, amongst the southernmost of which "Mount Forty-nine" again comes in view, and the trail follows a terrace or bench on the eastern side of the valley some distance from the river bank.

Rich, well irrigated soil, long grass, and luxuriant wild vegetation are the characteristic features of this beautiful district, which appears admirably adapted for cultivation, and may in fact be named "the Valley of the Similkameen."

* For building, fuel, &c.

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We camped to-night at a point near the southern extremity of this valley, where the trail leaves it, and an observation of Polaris, which gave me a latitude of $49^{\circ} 03' 20''$ north, dispels all doubt as to the position of the boundary in reference to the valuable tract through which we had just travelled.

September 27th. A wet, chilly, gusty morning, and snow visible on "Mount Forty-nine" and adjacent peaks.

About four miles from our camp (No. 9), occurs a second bend, commonly known as the "Big Bend" of the Similkameen. It here resumes its easterly course, passing at the bend through a cañon, or mountain defile, and the trail, striking off from the river to the south-eastward, rejoins it below the bend at a point nearly one mile south of the boundary.

An astronomical party of the United States Boundary Commission, and a portion of the escort under the command of Lieutenant Camp, U.S.A., were encamped on this spot.

The trail, on leaving Camp 9, passes over a divide in the range of hills bordering on the river, the ascent and descent being long and gradual, the land terraced and grassy, and the road good.

The topography of this district will be better understood by reference to the map, whence it will be seen that two trails lead to the "Osoyoos Lake," the one passing through the boundary camp, and leading to its southern extremity, the other (which we followed) taking a long sweep to the northward up another divide in the hills, and then following a south-easterly direction along the margin of the lake till it reaches Camp 10.

Mr. McDonald and I had stayed behind our party to visit the Boundary Camp, giving them orders to camp near one of the small lakes in the divide. When we came up, no signs of them were to be seen, and nothing but his (Mr. McDonald's) great experience in tracks, now so nearly obliterated by the rain as to be invisible to my unaccustomed eyes, afforded us a clue to the path they had taken.

It was dusk ere, on turning a sharp corner, the cheerful light of the camp fires revealed the position of the party, just as we were beginning to dwell on the unpleasant prospect of spending a supperless, blanketless night.

Camp 10 is situated in latitude $49^{\circ} 01' 52''$ N., at a point on Lake Osoyoos where two long sandy bars projecting from either side to nearly the middle of the lake, and connected by a ford, admit of a passage across.

About $4\frac{1}{2}$ miles south by east of us are the Okanagan and Similkameen Forks, the valley of the latter river, in which we are now camped, running a little to the westward of north.

Lake Osoyoos is 10 miles long and about $1\frac{1}{2}$ miles wide. Between it and the great Okanagan, two smaller ones occur, the northernmost between seven and eight miles long, the latter about five, and the four are connected by the Okanagan river.

The soil in this part of the valley is poor and gravelly, though further north the land improves greatly in quality. On Osoyoos and the other lakes wild fowl are very numerous, and partridges and prairie chickens abound in the valley; grass is plentiful, timber scarce, and for the first time since leaving Fort Hope we missed the cheerful aspect of a blazing log in front of the tent door.

September 28.—To-day was cold but fine. We started late, having but a short day's journey before us, and crossing the lake at the ford, travelled three miles in a south-easterly direction along its margin. The trail here takes to the eastward, following a long and gentle ascent up a divide in the Okanagan Range.

We took this route and camped five miles up the divide on a small stream which runs into the Osoyoos Lake a short distance south of where we left it.

September 30 to October 2.—As nearly the whole of the remainder of the route is in American territory, a general outline of the features of the country will be as much as is necessary.

The trail, on leaving Camp 11 (which is in latitude $48^{\circ} 58' 59''$ N.), runs a little north of east up the divide we had already commenced ascending. The slope is gradual, the trail good, the land terraced and covered with excellent round bunch grass, timber plentiful (viz. larch, pine, and aspen), and the soil of excellent quality. The summit 2,850 feet above the level of the sea commands a fine view of the Cascade Mountains west of the Similkameen, extending north and south, and affording the usual ocular illusion of ranges perpendicular to the line of vision. Looking east, the eye takes in an immense tract of country, more or less mountainous and intersected by winding valleys, embracing the Pend d'Oreilles and Cœur d'Aleur countries, and the unexplored regions north of the British Frontier.

It is difficult in a country so extremely mountainous to form a good idea of the bearings and extent of the different ranges.

It appeared to me, however, from present and subsequent observation, that this divide, after cutting through the Okanagan Range, also separates part of a broad extensive chain intersected in a tortuous line by the valley of the N-woy-al-pit-kwu River, and thence passing eastward along the parallel to Fort Sheppard, near which point it is divided by the Columbia; thence north of the Pend d'Oreilles country, and nearly at right angles to the well-known Bitter Root Range, till it is lost amid the towering peaks of the Rocky Mountains.

Passing the summit of the divide, the traveller soon strikes the head waters of the "Siyakan" a rapid mountain brook which forks with the "N-woy-al-pit-kwu" 25 miles from the "Osoyoos." The trail follows down this stream to its mouth and is generally good and at a gentle slope, except at the immediate descents to the "Siyakan" and "N-woy-al-pit-kwu." The distance from the Siyakan Forks to Fort Colville by the valley of the latter river is about 85 miles. After striking the "N-woy-al-pit-kwu" the trail runs south of east, and soon crosses the frontier. Pretty alternating prairies, extending to a considerable size at the embouchures of valleys, light soil, good bunch grass, mountains here and there falling bluff and perpendicular into the river, then retreating from it in low, broken, grassy masses, and a country generally park-like and pretty, complete the characteristic features of that portion of the N-woy-al-pit-kwu valley comprised in the next two day's travel. The river is about the same size as the Similkameen, viz. from 20 to 50 yards broad, swift, shallow, and clear, and its banks are generally low and easily accessible. The trail, bad only in two or three places where it passes over unavoidable spurs, crosses the river from time to time; wild fowl are abundant, and excellent camping places exist all along the route.

October 3d-5th.—On the evening of the 2d October we again approached British territory by a long bend of the river to the northward, and camped on its right bank, in lat. $48^{\circ} 59' 19''$ N. From

here the river passes north beyond the frontier, and augmented by a considerable branch from the northward, (possibly the main stream) soon resumes its easterly direction.

At the confluence of the three valleys occurs a large open plain, three miles by two, designated in the plan "La Grande Prairie." This plain, which according to my observations lies within the British line, had, previous to our arrival, been devastated by fire, and the young green grass, just springing up, contrasted refreshingly with the dry yellow hue of the surrounding herbage.

Little snow falls here in winter, and its sheltered position renders it an excellent "guard" for cattle and horses during that season.

Past "La Grande Prairie" the character of the valley changes entirely.

The open timbered country gives way to a tolerably dense forest of young fir and other trees; the valley sensibly contracts and is walled in by mountains of solid quartz; pasturage hitherto so good and plentiful is difficult to find, and the river again roars along over a rocky bed, and through precipitous mountain defiles.

In this portion fords frequently occur, unavoidable owing to the steep mountain bluffs, and the river takes several remarkable horse-shoe bends. The same general character of country, relieved here and there with patches of prairie and level bottom, extends to the mouth of the river, (33 miles) where it empties with a roar into the Columbia one mile above Fort Colville.

We crossed the Columbia, opposite the Fort, in bark canoes, propelled by long six feet paddles.

The river at this point is about 400 yards wide in the fall of the year, very clear, and very swift.

The Fort stands in a large open prairie, about 1,200 acres in extent, portions only of which are cultivated by Indians, the remainder being liable to inundation when the Columbia is at its height.

One mile below the Fort are the "Kettle Falls" of the Columbia, called by the natives "Schwan-a-te-koo" or "Sounding water."

I visited these falls during my stay at the Fort, and the clear blue water of this noble river dashing with a dull roar over a ledge of rocks 15 feet high, and sending a huge white cloud of foam into the air, is a sight well worth the short walk from the Fort.

Much more might be said on the topography and other general features of this district of the Columbia, but I propose to reserve further remarks for another occasion, and to bring my sketch of this interesting trip at once to a close.

Part II.—MILITARY.

In connexion with that portion of my instructions directing me to notice such points in the Similkameen valley, or anywhere along the frontier, as may be suitable for the establishment of military posts, I have the honour to submit the following brief report of my observations:

Westward from the Similkameen valley, and nearly to the coast, extends a mountain region, so rugged and bleak, and so inaccessible and devoid of roads of communication, that this valley is the first point east of the Sumas, to which attention need be directed.

It and the Okanagan valley are the main thoroughfares to British Columbia from Washington territory, and indeed east of them, as far as Fort Sheppard, the country affords no known practicable means of ingress.

To these valleys, therefore, I chiefly directed my attention, and, as far as I can judge, natural features and advantages point to the "Keereemaous" bend of the Similkameen as the best position for a military post.

The bend opens (see map) into a fine broad valley, extending 12 miles southward to the frontier, which, if necessary, can be fortified with ease. The soil is rich, the land in the valley generally level, timber for building and other purposes plentiful, and water good; and further, easy access can be had to the adjacent Okanagan valley, either by crossing the low grassy spurs of the intervening range, or by a small valley in rear.

I should mention here (having omitted to do so in my topographical report), that the main route from Washington territory passes up the valley of the Okanagan River from its junction with the Columbia and forks at the mouth of the Similkameen, whence branch the two routes already described. An outpost in the Okanagan would guard the valley of that river, and need not be more than eight or nine miles from the main post in the "Similkameen."

As farther inducements to the establishment of the latter, I may state that little snow falls there in the winter, fish and wild fowl are plentiful in the neighbourhood, and grass abundant, and of excellent quality, and that, while a military post would guard the frontier from invasion, protection would at the same time be afforded to the lives and property of any settlers who might at some future time populate the adjoining country.

A great question now presents itself as to the means of communication between this district and the interior portions of British Columbia.

Even if it be practicable at an enormous expense to construct a tolerable waggon road across Manson Mountain, or even should a better route be found by following round the valley of the Coquahalla, there still remains the dividing ridge of the Cascades, and the route would any way be impracticable for at least seven months in the year. Through Lytton, therefore, or the Kayoosh district, by the valleys of the Thompson and Buonaparte River to Nicolas Lake and Fort Kamloops, and thence to the border, all supplies must eventually pass, and hence the necessity of establishing good means of communication with these points from either the Fraser River or the sea.

This further points to the probable future importance of towns at Lytton and Kayoosch with regard to the defence of the frontier, and leads me respectfully to suggest the advisability of an early exploration of the route from Howe Sound to the Upper Lillooet, regarding which I have received favourable information from a reliable source.*

Should the result of such exploration prove favourable, and should it be considered advisable to construct on this route a good waggon road of communication, advantageous results would accrue to our mining districts. Kayoosch or Fountain would probably ere long become a town of considerable commercial importance, and from thence, as a general dépôt, supplies might easily be forwarded to military and other posts between the Upper Fraser and the border.

* The position of the head of "Jarvis Inlet" would also suggest the advisability of an early exploration in that quarter.

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With regard to Fort Hope I may mention that nature has already fortified it with an almost impassable barrier of mountains.

All the practicable means of access to British Columbia, except from the sea, strike the Fraser north of Fort Hope. There is, therefore, no occasion for establishing a military post in the neighbourhood of Manson's Mountain, nor indeed can it be considered feasible to do so.

On the importance of defending the border east of Fort Shepherd future explorations will decide.

In connection with this subject it remains but for me to remark, that, from my own observation, and from information afforded me by Mr. McDonald, I know a frontier road north of the 49th parallel to be practicable from the Similkameen, eastward to the N. Saa-app Lake in the N. Whoyalpitkwu Valley, and further that Captain Pallisser's explorations have determined the possibility of extending such a road from that point to Fort Shepherd, though his report on the intervening tract cannot be pronounced as favourable as might be wished.

Part III.—GEOLOGICAL.

The geographical character of the several districts between Fort Hope and Fort Colville is throughout very uniform, the rocks belonging principally to the igneous and metamorphic series.

The bulk of Manson's Mountain appears to be granite tipped with clay slate, here and there presenting patches of white indurated clay, found on examination to contain fragments of white quartz.

This formation may be said to consist of granite with its felspar decomposed and reduced to a state of indurated clay; it extends to the dividing ridge of the Cascades, and partly into the valley of the Tulameen.

In the latter valley may be seen vast masses of white quartz, in all probability the exposed face of the rock, which, with granite constitutes a large portion of the district extending into the Similkameen valley.

On approaching the summit of the Tulameen Range, the quartz partially disappears, and is replaced by a species of variegated sandstone, in which traces of iron occur. To what extent the sandstone prevailed I had no opportunity of judging, the weather being snowy while I was there and the rocks as a general rule imbedded in peaty turf.

As we leave the Tulameen mountains, and descend into the valley below, indurated clay appears to predominate to a considerable extent. This clay varies in character as we approach the Vermillion Forks; a portion I noticed near that point being a white silicate of alumina mixed with sand. On one specimen which I picked up were the fossil remains of the leaves of the hemlock.

Further down, in the Similkameen valley, the clay acquires a slaty texture, and becomes stained with iron to a greater or less extent. Blue clay also exists, only, however, in small quantities.

The mountains bordering the Similkameen consist chiefly of granite, greenstone, and quartz, capped with blue and brown clay slate.

The beds of both the Tulameen and Similkameen are covered with boulders of granite of every description and colour, of greenstone and of trap, and vary in form and size.

The same character of boulders prevail on the river bottoms to a greater or less extent.

Like that of most of the other explored portions of British Columbia, the geological character of this region appears to indicate the high probability of auriferous deposits. In the lower portion of the Similkameen, and near the "Big Bend," gold was discovered shortly after I passed through by some of the men attached to the United States Boundary Commission.

Report pronounced the discovery a valuable one, as much as \$40 to the hand being taken out in three hours, without proper mining tools; but I cannot speak positively as to the truth of this statement, neither could I discover whether the place spoken of is in British or American possessions. Probability would suggest the former.

Beyond Osoyoos Lake I did not deem it necessary to pay much attention to the geological character of the country, the route lying almost entirely in American possessions. Suffice it to say, that but few features of interest presented themselves, and that in no place did I see any sign of stratified rocks.

PART IV.—CONCLUDING REMARKS.

Having so far concluded my remarks on the topography and other features of the route, I would beg respectfully to submit a few suggestions on what appears to me the most feasible plan for settling up these and some other portions of British Columbia, already explored, and known to be capable of cultivation.

It is already an established and well recognized fact that west of the cascade mountains the greater portion of such lands as are capable of cultivation are either liable to inundation in the summer, or covered with a forest growth so thick as to afford but few inducements to emigrants.

The present undeveloped state of British Columbia, and the absence of any good roads of communication with the interior, would probably render futile any attempts to settle the Similkameen and other valleys in the vicinity of the 49th parallel.

Extensive crops, it is true, might probably be raised, but the emigrant would have to depend for the other necessities of life either on such few as might from time to time find their way into the country from Washington Territory, or on such as might, during four months in the year, be obtained from Fort Hope and other points on the Fraser River, and either of which could not be obtained but at prices too exorbitant for the pocket of the poor man.

It would seem therefore that the Buonaparte and Thompson River valleys are the natural starting points for civilization and settlement, and the remarks I had the honour to make in a preceding section on the importance of towns at Lytton and Kayoosh, with reference to the defence of the border, apply with equal force in the present question of settlement.

Starting from these points civilization would gradually creep forward and extend finally to the valleys on the frontier.

With its advance we should have good roads and cheap provisions, and while the agricultural resources of the country would thus by degrees become developed, the additional comfort that would

be placed within reach of the miner on the upper Fraser would hold out far greater inducements to his stay in the country than at present exist.

Further experimental researches will develop the natural resources of the soil in the valleys under discussion, and clear up any doubt as to its suitability for the growth of crops.

Should the result prove satisfactory, roads will be the first to develop its capabilities, and, viewing the matter in the light of general civilization, it would seem not unfair to adduce the successful cultivation of unpromising districts in other densely-peopled countries, in support of the probability of cultivation extending to large tracts of grass land on the mountain slopes and plateaux, and of the agricultural wealth of the country being thereby vastly improved.

I have, &c.

(Signed) H. SPENCER PALMER, Lieut. R.E.
New Westminster, Nov. 23rd, 1859.

Col. R. C. Moody, R.E.
&c. &c.

TABLE of Latitudes, Longitudes, Altitudes, &c. of Camps.—Lieut. PALMER's Route.

STATION.	Latitude. N.	LONGITUDE.		Height in Feet above Sea Level.	Distance in Miles from last Station by Trail.	Remarks.
		E. of Fort Hope in Time.	W. of Green in Arc.			
		° ' "	° ' "			
Fort Hope—Hudson Bay Fort -	49 22 21	- -	121 24 39	140	- -	No grass. Timber and water abundant.
Camp I.—Manson Mountain -	49 22 41	0 41.7	121 14 13	1,890	15	Little grass. Ditto ditto.
" II.—Stuchd-a-Choire -	49 20 57	1 17.6	121 05 15	3,640	19	No grass. Ditto ditto.
" III.—Bend of Tulameen -	49 22 15	1 59.8	120 54 42	3,260	15	Little grass. Ditto ditto.
" IV.—Tulameen Range -	No observations.			4,230	12	Wood, water, and grass plentiful and good.
" V.—Camp. des Femmes	49 32 29	2 50.0	120 42 09	2,170	12	Ditto ditto.
" VI.—Vermillion Forks -	49 27 42	3 56.4	120 25 33	1,790	19	Ditto ditto.
" VII.—Similkameen Valley	49 24 26	4 41.2	20 14 21	1,600	16	Ditto ditto.
" VIII.—Ditto, near Na-is-new-lew.	49 12 54	5 44.6	119 58 30	1,275	21	Ditto ditto.
" IX.—Ditto, near Big Bend	49 03 20	6 24.6	119 48 30	775	22	Wood rather scarce; brush and grass plentiful.
" X.—Osoyoos Lake (crossing.)	49 01 52	7 24.2	119 33 36	630	18	Wood, water, and grass abundant.
" XI.—Divide Colville Range.	48 58 59	8 00.0	119 24 39	2,390	10	Ditto ditto.
" XII.—Siyakan Forks -	49 02 43	9 22.8	119 03 57	1,570	19	Ditto ditto.
" XIII.—N. Whoyalpit Kwu Valley.	48 54 41	10 22.9	118 48 55	1,420	20	Ditto ditto.
" XIV.—Ditto, near "La Grande Prairie."	48 59 19	11 34.3	118 31 04	1,360	18	Grass scarce.
" XV.—Ditto near Falls -	48 58 37	12 54.7	118 13 13	1,260	18	Everything plentiful.
" XVI.—11 miles from Colville.	48 46 36	13 12.2	118 06 36	1,050	18	Ditto.
Fort Colville (H. B. Fort) -	48 38 03	13 22.6	118 04 00	830	11	

Entire distance by trail from Fort Hope to Fort Colville, = 283 miles.

The longitude of R.E. observatory at New Westminster is approximately 122° 50' W., whence the above are determined.

H. S. PALMER,
Lieut. Royal Engineers.

No. 34.

No. 34.

COPY of DESPATCH from Governor DOUGLAS, C.B., to his Grace the
DUKE of NEWCASTLE.

(No. 2.)

Victoria, Vancouver's Island, January 12, 1860.

(Received March 5, 1860.)

MY LORD DUKE,

I HAVE the honour to transmit, for your Grace's information, a return of the value of imports and customs receipts at New Westminster, British Columbia, for the twelve months ending with the 31st day of December 1859.

2. Your Grace will observe that this return shows an increase in the customs receipts for the December quarter—

Of 103½ per cent. as compared with the March quarter;

Of 42½ per cent. as compared with the June quarter;

Of 16¼ per cent. as compared with the September quarter;

The total receipts for the twelve months being 18,464*l*.

3. The duty of 12*s*. per ton on goods and wares carried from New Westminster to all other places in British Columbia came into operation on the 1st day of January 1860. It is estimated that the duty will produce about 8,000*l*. per annum, provided there be no

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increase of trade ; and should trade increase at the same ratio as last year the revenue derived from it will be in excess of that sum.

4. I trust it will soon be in my power to present to your Grace a statement of the entire public revenue collected for the past year in British Columbia, which will probably be over 50,000*l*.

I have, &c.

His Grace the Duke of Newcastle.
&c. &c. &c.

(Signed) JAMES DOUGLAS,
Governor.

Enclosure in No. 34.

Encl in No. 34.

RETURN of Customs Receipts, and Value of Imports for British Columbia, for the Year ending 31st December, 1859.

CUSTOMS RECEIPTS.

					£	s.	d.
Quarter ending	31st March 1859	-	-	-	-	2,976	0 0
"	" 30th June 1859	-	-	-	-	4,242	0 0
"	" 30th September 1859	-	-	-	-	5,202	0 0
"	" 31st December 1859	-	-	-	-	6,044	0 0
Total amount of Customs Receipts for the Year					-	£18,464	0 0

VALUE OF IMPORTS.

					£	s.	d.
Quarter ending	31st March 1859	-	-	-	-	175,111	46 - 35,022 6 10
"	" 30th June 1859	-	-	-	-	247,755	66 - 49,551 2 5
"	" 30th September 1859	-	-	-	-	207,848	07 - 41,569 12 0
"	" 31st December 1859	-	-	-	-	255,381	62 - 51,076 6 2
Total Value of Imports for the Year, calculating the Pound sterling at \$5					-	886,096	81 - 177,219 7 5

No. 35.

No. 35.

COPY of DESPATCH from Governor DOUGLAS, C.B., to his Grace the DUKE OF NEWCASTLE.

(No. 5.)

Victoria, Vancouver's Island, January 12, 1860.

(Received March 5, 1860.)

MY LORD DUKE,

24th Para-
graph, No. 224,
18th Oct. 1859,
page 65.

IN my report on the affairs of the colony of British Columbia, of the number and date noted in the margin, I did myself the honour of laying before your Grace a statement of the expense, inconvenience, uncertainty, and delays to which emigrants were exposed in making purchases of land in that colony.

2. I also stated that the Government surveys could not keep pace with the demand for public land, and I might, moreover, have added that the expense of moving surveying parties of the Royal Engineers to the various points where land is required for settlement and cultivation would probably exceed the money value of the land sold.

3. I at the same time informed your Grace that in order to remove so pregnant a cause of complaint, and to facilitate settlement and promote the lawful acquisition of unsurveyed agricultural land, pending the operation of the public surveys, I had authorized the occupation of land to the extent of 160 acres, with a pre-emptive right, by any person immediately occupying and improving such land and agreeing to pay the Government price, not exceeding 10*s*. an acre, whenever the land is surveyed and title granted.

4. I now forward herewith a Proclamation giving to my previous instructions the force of law, and also providing for the purchase, with the same limitation of the ultimate price, of larger tracts of unsurveyed country land, in addition to the land pre-empted, as may be desired by persons of larger means ; it being in that case also provided, in order to guard against the mere speculative holding of land, that 5*s*. an acre is to be paid down, and the residue at the time of survey.

5. This Act has been reviewed with much anxious consideration, and every precaution has been taken to adapt its machinery to the state of the colony, and to divest it of unnecessary forms, expense, and delay.

6. The district stipendiary magistrates will record the applications for land, and immediately report the same to the Commissioner of Lands and Works and to the Colonial Secretary, so that it will not cause any further drain on the funds of the colony.

7. The object of the measure is solely to encourage and induce the settlement of the country ; occupation is, therefore, made the test of title, and no pre-emption title can be perfected without a compliance with that imperative condition.

8. The Act distinctly reserves, for the benefit of the Crown, all town sites, auriferous land, Indian settlements, and public rights whatsoever; the emigrant will, therefore, on the one hand, enjoy a perfect freedom of choice with respect to unappropriated land, as well as the advantage, which is perhaps of more real importance to him, of being allowed to choose for himself and enter at once into possession of land without expense or delay; while the rights of the Crown are, on the other hand, fully protected, as the land will not be alienated nor title granted until after payment is received.

9. The system will, I trust, have the effect of enlisting the sympathies and letting loose the energy, intelligence, and activity of the whole emigrant population upon the public domain; adding daily to its value, while, it is to be hoped, the people themselves will become more and more attached to the soil, and more studious to acquire property in land rendered valuable by their own labour. Thus men who have no serious intention of settling in the country, and others who, on their first arrival, have not the means of buying land, become in the end devoted settlers, and, in their capacity of producers and consumers, valuable contributors to the public revenue.

10. Other good effects are expected to result from the operation of the Act; there is, for example, every reason to believe that it will lead to the more rapid colonization of the country, and to greater economy in its survey, which can be effected hereafter, when roads are made, at a much smaller cost for travelling and conveyance than at the present time.

11. The district magistrates are authorized in all cases of dispute about land to proceed immediately in a summary way to settle boundaries, to restore possession, to abate intrusions, and to levy such costs and damages as they may think fit; a course which I believe will have the happiest effect in preventing litigation and private acts of violence; for the redress of grievances and to guard against injustice on the part of the magistrate; an appeal from his decision may be carried to the Supreme Court of the colony.

12. I have only further to express a hope that the measure may meet with the approval of Her Majesty's Government.

His Grace the Duke of Newcastle,
&c. &c. &c.

I have, &c.
(Signed) JAMES DOUGLAS,
Governor.

Enclosure in No. 35.

Encl. in No. 35.

(No. 17.)

PROCLAMATION.

By his Excellency James Douglas, Companion of the Most Honourable Order of the Bath, Governor and Commander-in-chief of Her Majesty's Colony of British Columbia and its dependencies, Vice-Admiral of the same, &c.

WHEREAS, by virtue of an Act of Parliament made and passed in the 21st and 22nd years of the reign of Her Most Gracious Majesty the Queen, and by a Commission under the Great Seal of the United Kingdom of Great Britain and Ireland, in conformity therewith, I, James Douglas, Governor of the Colony of British Columbia, have been authorized by Proclamation issued under the Public Seal of the said Colony, to make laws, institutions, and ordinances, for the peace and good government of the same, and

Whereas, it is expedient, pending the operation of the survey of agricultural lands in British Columbia, to provide means whereby unsurveyed agricultural lands may be lawfully acquired by pre-emption in British Columbia by British subjects, and in certain cases to provide for the sale of unsurveyed agricultural land in British Columbia by private contract.

Now, therefore, I, James Douglas, Governor of British Columbia, by virtue of the authority aforesaid, do proclaim, order, and enact,

1. That from and after the date hereof, British subjects and aliens who shall take the oath of allegiance to Her Majesty and Her successors, may acquire unoccupied and unreserved, and unsurveyed Crown land in British Columbia (not being the site of an existent or proposed town, or auriferous land available for mining purposes, or an Indian reserve or settlement,) in fee simple, under the following conditions.

2. The person desiring to acquire any particular plot of land of the character aforesaid, shall enter into possession thereof and record his claim to any quantity not exceeding 160 acres thereof, with the magistrate residing nearest thereto, paying to the said magistrate the sum of 8s. for recording such claim. Such piece of land shall be of a rectangular form, and the shortest side of the rectangle shall be at least two-thirds of the longest side. The claimant shall give the best possible description thereof to the magistrate with whom his claim is recorded, together with a rough plan thereof, and identify the plot in question by placing at the corners of the land four posts, and by stating in his description any other landmarks on the said 160 acres, which he may consider of a noticeable character.

3. Whenever the Government survey shall extend to the land claimed, the claimant who has recorded his claim as aforesaid, or his heirs, or in case of the grant of certificate of improvement herein-after mentioned, the assigns of such claimant shall, if he or they shall have been in continuous occupation of the same land from the date of the record aforesaid, be entitled to purchase the land so pre-empted at such rate as may for the time being be fixed by the Government of British Columbia, not exceeding the sum of 10s. per acre.

4. No interest in any plot of land acquired as aforesaid, shall before payment of the purchase money, be capable of passing to a purchaser unless the vendor shall have obtained a certificate from

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the nearest magistrate that he has made permanent improvements on the said plot to the value of 10s. per acre.

5. Upon payment of the purchase money, a conveyance of the land purchased shall be executed in favour of the purchaser, reserving the precious minerals, with a right to enter and work the same in favour of the Crown, its assigns and licencees.

6. Priority of title shall be obtained by the person first in occupation, who shall first record his claim in manner aforesaid.

7. Any person authorized to acquire land under the provisions of this Proclamation may purchase, in addition to the land pre-empted, in manner aforesaid, any number of acres not otherwise appropriated, at such rate as may be fixed by the Government, at the time when such land shall come to be surveyed, not to exceed ten shillings per acre; five shillings to be paid down, and the residue at the time of survey.

8. In the event of the Crown, its assigns of licencees, availing itself, or themselves, of the reservation mentioned in clause 5., a reasonable compensation for the waste and damage done shall be paid by the person entering and working to the person whose land shall be wasted or damaged as aforesaid, and in case of dispute, the same shall be settled by a jury of six men to be summoned by the nearest magistrate.

9. Whenever any person shall permanently cease to occupy land pre-empted as aforesaid, the Magistrate resident nearest to the land in question may in a summary way, on being satisfied of such permanent cessation, cancel the claim of the person so permanently ceasing to occupy the same, and record the claim thereto of any other person satisfying the requisitions aforesaid.

10. The decision of the magistrate may be appealed by either party to the decision of the judge of the Supreme Court of Civil Justice of British Columbia.

11. Any person desirous of appealing in manner aforesaid may be required before such appeal be heard, to find such security as may be hereafter pointed out by the rules or orders hereinafter directed to be published.

12. The procedure before the magistrate and judge respectively shall be according to such rules and orders as shall be published by such judge with the approbation of the governor for the time of British Columbia.

13. Whenever a person in occupation at the time of record aforesaid shall have recorded as aforesaid, and he, his heirs, or assigns, shall have continued in permanent occupation of land pre-empted, or of land purchased as aforesaid, he or they may, save as hereinafter mentioned, bring ejectment or trespass against any intruder upon the land so pre-empted or purchased, to the same extent as if he or they were seized of the legal estate in possession in the land so pre-empted or purchased.

14. Nothing herein contained shall be construed as giving a right to any claimant to exclude free miners from searching for any of the precious minerals or working the same upon the conditions aforesaid.

15. The Government shall, notwithstanding any claim, record, or conveyance aforesaid, be entitled to enter and take such portion of the land pre-empted or purchased as may be required for roads or other public purposes.

16. Water privileges and the right of carrying water for mining purposes, may notwithstanding any claim recorded, purchase or conveyance aforesaid, be claimed and taken upon, under or over the said land so pre-empted or purchased as aforesaid, by free miners requiring the same, and obtaining a grant or license from the Gold Commissioner, and paying a compensation for waste or damage to the person whose land may be wasted or damaged by such water privilege or carriage of water, to be ascertained in case of dispute in manner aforesaid.

17. In case any dispute shall arise between persons with regard to any land so acquired as aforesaid, any one of the parties in difference may (before ejectment or action of trespass brought,) refer the question in difference to the nearest magistrate, who is hereby authorized to proceed in a summary way to restore the possession of any land in dispute to the person whom he may deem entitled to the same, and to abate all intrusions, and award and levy such costs and damages as he may think fit.

Issued under the Public Seal of the said Colony, at Victoria, Vancouver Island, this fourth day of January, A.D. one thousand eight hundred and sixty, and in the twenty-third year of Her Majesty's reign, by me,

JAMES DOUGLAS. (L.S.)

By Command of his Excellency.

WILLIAM A. G. YOUNG, Acting Colonial Secretary.

GOD SAVE THE QUEEN.

No. 36.

No. 36.

COPY of DESPATCH from Governor DOUGLAS, C.B., to his Grace the
DUKE of NEWCASTLE.

(No. 8.)
MY LORD DUKE,

Victoria, Vancouver's Island, January 24, 1860.
(Received March 13, 1860).

I HAVE the honour of transmitting herewith for your Grace's information the copy of report from Mr. Ball, Assistant Gold Commissioner for the district of Lytton, on the state and prospects of the gold regions of British Columbia, situated in the valley of Fraser's River and its tributary streams, between Lytton and Quesnel River.

2. Mr. Ball's report is a reliable source of information, and, compared with the accounts of adventurers who have mined in that part of the country, moderate in the description of its auriferous wealth.

3. The extent of country over which the "Blue Lead" of Quesnel's River has been

traced exceeds 300 square miles, and should it be continuous, as it has proved equally rich wherever struck, its wealth must be fabulous.

4. A detachment of thirty Chinese miners arrived yesterday, being it is supposed the pioneers of a large immigration of that people for British Columbia.

I have, &c.

His Grace the Duke of Newcastle,
&c. &c. &c.

(Signed) JAMES DOUGLAS,
Governor.

BRITISH
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Enclosure in No. 36.

Encl. in No. 36.

SIR,

Lytton, December 18, 1859.

IN compliance with the wish expressed in your letter of the 1st October I have the honour to forward you my remarks on the diggings of my own district, and as much information respecting the new discoveries of the upper country in the neighbourhood of Fort Alexandria, as I could gather from those who have lately returned from those parts.

The discoveries of gold in this district have this season extended from the banks of the Fraser's river to the flats or benches situated above high water mark, many of which have produced richer claims than on the banks, averaging on those flats where water can be brought to work with sluices from 8 to 12 dollars a man per day, and possessing an advantage over river claims, inasmuch as they can be worked from the commencement of spring until the fall of the year uninfluenced by the rise or fall of the main stream.

These discoveries have given more confidence to the miners, many of whom were under the impression that the gold existed only on the bars, below high water mark, and in the bed of the river, and consequently seeing their mistake have been induced to prospect the different benches, so that next season I have no doubt the second and even the third benches on the river will prove to be equally rich, and be worked advantageously; the great drawback to their being thoroughly and properly worked at present being the large amount of capital required to bring the water by flumes and ditches from the mountain creeks on to the different benches, the difficulty and expense increasing in proportion to the height of the flats from the river.

The discoveries on Thompson River are as yet but few, though from the nature and features of the banks of this river being similar to those of the Fraser (as the population increases) I have no doubt that these benches will be worked proving as rich as many of those on the Fraser River, and afford a large field for mining operations. Those miners who already have worked there and possess claims are about to return to them next season, and their return will I hope induce many others to accompany them. In the neighbourhood of Thompson River there are many parts, which from my own personal observation, I have no doubt will prove auriferous, and at the same time recompense those who may take up claims (the country being intersected by the Nicholas and Bonaparte Rivers), on both of which gold has been discovered; and when these rivers are carefully and properly prospected, from the nature and appearance of the country in comparison with other auriferous districts, many good claims will eventually be discovered.

I am happy to inform your Excellency that the prospects and reports from the upper country are most favourable, and (although at present all mining operations are suspended, on account of the cold weather) many have been induced to winter in that district with a view of working on the different rivers and creeks, at the lowest stage of water in the spring; and all who have lately returned through this district to proceed to California or winter below, intend to come back and work in the newly discovered district, the appearance of which, from the opinion of experienced California miners, presents a greater similarity to the rich districts of California than any part as yet discovered. The richest discoveries have been made in a creek called Horsefly Creek, situated about 60 miles to the east of Fort Alexandria, and running into a lake at the head of one of the branches of the "Quesnel" River. On this creek a party of five miners, in one week, with only two rockers, took out 101 ounces of gold, and were then obliged to abandon the claim on account of the severity of the cold weather. These and other discoveries nearly as rich, and the general appearance of that part of the country, have satisfied many experienced California miners, that the country is rich in gold, and that as it has been found in the beds of the creeks, on the banks and benches, and even in the different gulches, there is a rich deposit in some part of the district, and it is supposed that it will principally be found on this "Horse Fly Creek," and in the neighbourhood of the Forks of the Quesnel River, as it is there that some miners have struck the "Blue Lead" (a rich deposit of gold so well known in California), and which in this country presents all the same indications of a rich stratum, extending in a direction nearly north and south across this "Horse Fly Creek," with a lateral extent of nearly ten miles.

This blue lead has already been traced a distance of 30 miles, and where occasional shafts were sunk rich prospects were obtained, the first gold stratum lying at a depth of 25 feet from the surface, and all the indications of the upper strata being similar to those of the "Blue Lead" of California.

From the information I have been able to gather from those who have prospected that part of the country I am satisfied there is a large extent of auriferous country, but the severity of the winters make the season for mining operations at present very short, though the expectation of all is, that the richness of the claims will compensate for the shortness of the season.

A good trail to the upper country has been found from Lytton, joining the trail, (hitherto travelled via the Fountain and Pavilion) at a point on Chapeau River about 40 miles from Lytton, and making the distance to Fort Alexandria about the same as from Cayoosh, and with the advantage of a better trail.

* Named after the discoverer, a French Canadian.

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COLUMBIA.

The only impediment on this new trail is a quantity of fallen timber, but the storekeepers, and others interested are, I believe, about to subscribe a sum of money to pay for making the trail practicable for pack animals.

From the favourable reports brought down from above, I am in hopes a large immigration will ensue, as the country needs but population to develop its resources and richness, and the nature of the country on the trail from Lytton to Alexandria will, I hope, be an inducement for many to settle down as agriculturists.

His Excellency
the Governor of British Columbia.

Signed)

I have, &c.
HENRY M. BALL,
J.P., and Assistant Gold Commissioner.

No. 37.

No. 37.

COPY of DESPATCH from Governor DOUGLAS, C.B., to his Grace the
DUKE of NEWCASTLE.

(No. 9.)

Victoria, Vancouver's Island, January 24, 1860.

(Received March 13, 1860.)

MY LORD DUKE,

* Page 101.

I HAVE the honour to acknowledge the receipt of your Grace's Despatch, No. 22,* of the 19th September, and in reference thereto to express my satisfaction at hearing that Her Majesty's Government had sanctioned the establishment of an assay office in British Columbia, in consequence of suggestions contained in several of my despatches.

2. My opinion still remains unaltered, that it is a measure that will prove in many respects of great advantage to the colony.

His Grace the Duke of Newcastle,
&c. &c. &c.

I have, &c.
(Signed) JAMES DOUGLAS,
Governor.

No. 38.

No. 38.

COPY of DESPATCH from Governor DOUGLAS, C.B., to his Grace the
DUKE of NEWCASTLE.

(No. 10.)

Victoria, Vancouver's Island, January 25, 1860.

(Received March 13, 1860.)

MY LORD DUKE,

† Page 102.

I HAVE duly received your Grace's Despatch, No. 27,† of the 29th September, on the subject of establishing an assay office in British Columbia, and transmitting for my information copy of a correspondence between the Treasury and the Colonial Office, showing the arrangements which it is intended to adopt for carrying the measure into operation.

2. I have the honour to inform your Grace that it is my intention to proceed with the erection of the necessary buildings, furnaces, &c., &c., as soon as I am furnished with plans of the same.

His Grace the Duke of Newcastle,
&c. &c. &c.

I have, &c.
(Signed) JAMES DOUGLAS,
Governor.

No. 39.

No. 39.

COPY of DESPATCH from Governor DOUGLAS, C.B., to his Grace the
DUKE of NEWCASTLE.

(No. 11.)

Victoria, Vancouver's Island, January 25, 1860.

(Received March 13, 1860.)

MY LORD DUKE,

‡ Page 105.

I HAVE the honour to acknowledge the receipt of your Grace's Despatch of the 21st October, No. 32,‡ informing me that the Master of the Mint has been authorized to carry into effect arrangements for the establishment of an assay office in British Columbia, and enclosing copy of a letter from the Treasury with an annexure, stating that Mr. Bacon and Mr. Hitchcock had been engaged as melters.

His Grace the Duke of Newcastle,
&c. &c. &c.

I have, &c.
(Signed) JAMES DOUGLAS,
Governor.

No. 40.

COPY of DESPATCH from Governor DOUGLAS, C.B., to his Grace the
DUKE of NEWCASTLE.

BRITISH
COLUMBIA.
No. 40.

Victoria, Vancouver's Island, January 26, 1860.

(Received March 14, 1860.)

MY LORD DUKE,

I HAVE the honour to acknowledge the receipt of your Grace's Despatch of the 5th* September last, upon the subject of the non-residence in the colony of British Columbia * Page 101. of the officers who have been appointed by the Crown to conduct its affairs.

2. I need scarcely say that, as a general principle, I fully agree with your Grace as to the advantages attending a residence in the Colony; but circumstances have, however, compelled me to retain hitherto at Victoria some of the principal officers of the Government of British Columbia, and I would long ere this have reported to your Grace my reasons for adopting such a measure, had I not been under the impression that the whole circumstances were well known and understood by Her Majesty's Government.

3. The day after the arrival of Mr. Begbie, the Judge, he accompanied me to British Columbia, and after his return to Victoria, he was of the greatest assistance to me in discharging the functions of Attorney-General, which office he kindly fulfilled with the concurrence of Her Majesty's Government. Since the arrival at Victoria of the Attorney-General, Mr. Begbie has passed long periods in, and has been on circuit over the greater portion of British Columbia, and his personal communications to me upon his return have been most valuable, and have assisted me materially in framing laws, and in adapting the general system of government to the actual requirements of the people. Mr. Begbie has but recently returned from an extended circuit, and I do not think that his absence from the Colony under existing circumstances has in any way proved injurious. Mr. Begbie is, however, on the point of proceeding to British Columbia, to take up his permanent residence there.

4. Your Grace is well aware that I constantly require the Colonial Secretary to be with me, and the same remark applies to the Attorney-General.

5. With regard to the Treasurer, it is probably more for the convenience of the service and for the benefit of the Colony of British Columbia, that he should at present, and probably for some little time to come, reside at Victoria; but I beg your Grace will receive my assurance that so soon as I am satisfied that his stay here is detrimental to the public service, I will instantly require him to proceed to British Columbia.

6. I do not presume to enter more fully into particulars, for the opinion I have given accords with that already expressed by your Grace in previous despatches, referring to the Colonial Secretary and to the Treasurer; and I doubt not your Grace will readily understand of what little assistance would the Attorney-General be unless he be near to me.

I have, &c.

His Grace the Duke of Newcastle,
&c. &c. &c.

(Signed) JAMES DOUGLAS,
Governor.

No. 41.

No. 41.

COPY of DESPATCH from Governor DOUGLAS, C.B., to his Grace the
DUKE of NEWCASTLE.

(No. 15.)

Victoria, Vancouver's Island, January 27, 1860.

(Received March 13, 1860.)

MY LORD DUKE,

I HAVE the honour of transmitting herewith copy of a proclamation, issued on the 20th of January instant, authorizing the Chief Commissioner of Lands and Works to sell town and suburban lots, and agricultural lands, which have been offered for sale at public auction and remain unsold, at the upset price.

2. It was intended to convey such powers to the Commissioner of Lands and Works by the Proclamation regulating the sale of public land, which issued on the 14th day of February 1859, but it appearing doubtful whether the powers in question have been actually conveyed by that instrument, in consequence of the expression "Except as afore-said" in the 4th clause of that Act, it was deemed advisable to remove the doubt, and to issue the present Proclamation.

I have, &c.

His Grace the Duke of Newcastle,
&c. &c. &c.

(Signed) JAMES DOUGLAS,
Governor.

BRITISH
COLUMBIA.

Encl. in No. 41.

Enclosure in No. 41.

(No. 18.)

PROCLAMATION.

By his Excellency JAMES DOUGLAS, Companion of the Most Honourable Order of the Bath, Governor and Commander-in-Chief of Her Majesty's Colony of British Columbia and its dependencies, Vice Admiral of the same, &c., &c.

WHEREAS by virtue of an Act of Parliament made and passed in the 21st and 22nd years of the reign of Her most Gracious Majesty the Queen, and by a Commission under the Great Seal of the United Kingdom of Great Britain and Ireland in conformity therewith, I, James Douglas, Governor of the Colony of British Columbia, have been authorized by Proclamation, issued under the Public Seal of the said Colony, to make laws, institutions and ordinances, for the peace, order, and good government of the same.

And whereas it is expedient that town lots, suburban lots, and surveyed agricultural lands in British Columbia, which have been, or which hereafter may be offered for sale at public auction, and remain unsold, should be sold by private contract.

Now, therefore, I, James Douglas, Governor of British Columbia, by virtue of the authority aforesaid, do proclaim, order, and enact as follows:—

The Chief Commissioner of Lands and Works for the time being for British Columbia, and all magistrates, Gold Commissioners, and Assistant Gold Commissioners, by the said Chief Commissioner authorized in writing in that behalf, may sell by private contract any of the lots and lands herein-after mentioned, at the prices and on the terms herein-after respectively stated, viz.:—

(a.) Town and suburban lots which have been or hereafter may be offered for sale at public auction, and remain unsold, at the upset price, and on the terms at and on which the same were offered for sale at such auction.

(b.) Agricultural lands surveyed by the Government Surveyor which may or shall have been offered for sale at public auction, and remain unsold, at ten shillings per acre, payable one half in cash at the time of sale, and the other half at the expiration of two years from such sale.

And the purchaser of any agricultural land aforesaid shall purchase, subject to such rights of way and water as may be hereafter declared by some writing under the hand of the Chief Commissioner of Lands and Works aforesaid.

Issued under the Public Seal of the said Colony, at Victoria, Vancouver Island, this twentieth day of January, A.D. one thousand eight hundred and sixty, and in the twenty-third year of Her Majesty's reign, by me,

JAMES DOUGLAS.

By his Excellency's command,

WILLIAM A. G. YOUNG,

Acting Colonial Secretary.

GOD SAVE THE QUEEN.

Despatches from the Secretary of State.

No. 1.

COPY of DESPATCH from Secretary the Right Hon. Sir E. B. LYTTON, Bart., M.P., to
Governor DOUGLAS, C.B.

BRITISH
COLUMBIA.
No. 1.

(No. 75.)

SIR,

Downing Street, June 3, 1859.

I HAVE to acknowledge the receipt of your Despatch No. 136,* of the 12th April * Page 5.
last, containing further reports on the general state of British Columbia, and forwarding
for my inspection a nugget of gold which had been recently found at Bridge River.

I beg to thank you for your attention in sending me this interesting specimen of the
metallic produce of the new Colony.

Governor Douglas, C.B.
&c. &c.

I have, &c.
(Signed) E. B. LYTTON.

No. 2.

COPY of DESPATCH from Secretary the Right Hon. Sir E. B. LYTTON, Bart., M.P., to
Governor DOUGLAS, C.B.

No. 2.

(No. 76.)

SIR,

Downing Street, June 4, 1859.

I HAVE to acknowledge your Despatch No. 129,* of the 11th of April last, * Page 4.
respecting the construction of the route by Harrison's River, and I have to express my
satisfaction that you have been able to pay, from the revenues of the Colony, the entire
cost of this undertaking.

Governor Douglas, C.B.
&c. &c.

I have, &c.
(Signed) E. B. LYTTON.

No. 3.

COPY of DESPATCH from the DUKE of NEWCASTLE to Governor DOUGLAS, C.B.

No. 3.

(No. 3.)

SIR,

Downing Street, June 30, 1859.

I HAVE to acknowledge the receipt of your Despatch No. 137,* of the 12th April * Page 7.
last, reporting a serious injury to the interests of British Columbia which is caused by
the practices of certain American owners of steam-boats running on the Fraser River.

I have referred to the opinion of the Law Advisers of the Crown the question raised
by you as to your power legally to withhold a British register from vessels becoming
British under such circumstances as those described in your Despatch, and I transmit for
your information and guidance a copy of the report which I have received from them on
this subject.

Governor Douglas, C.B.
&c. &c.

I have, &c.
(Signed) NEWCASTLE.

No. 4.

BRITISH
COLUMBIA.

No. 4.

COPY of DESPATCH from the DUKE of NEWCASTLE to Governor DOUGLAS, C.B.

(No. 5.)

SIR,

Downing Street, July 4, 1859.

I HAVE to acknowledge the receipt of your Despatch No. 154,* of the 14th of May, containing a report of the latest intelligence received from British Columbia.

I have to convey to you my thanks for the information which is supplied by your Despatch, as well as for your availing yourself of any chance opportunities of communicating to Her Majesty's Government the most recent intelligence respecting a Colony about which so much interest is felt in this country.

Governor Douglas, C.B.
&c. &c.

I have, &c.
(Signed) NEWCASTLE.

No. 5.

No. 5.

COPY of DESPATCH from the DUKE of NEWCASTLE to Governor DOUGLAS, C.B.

(No. 9.)

SIR,

Downing Street, July 28, 1859.

I HAVE to acknowledge the receipt of your Despatch No. 156,* of the 23rd of May last, respecting the system of land sales and mining licences.

I have little doubt that the Despatch from this office, No. 62,† of the 7th of May last, will have modified your views and practice as to deferred payments. On this subject I can do no more than express my concurrence in the views entertained by my predecessor.

Governor Douglas, C.B.
&c. &c.

I have, &c.
(Signed) NEWCASTLE.

No. 6.

No. 6.

COPY of DESPATCH from the DUKE of NEWCASTLE to Governor DOUGLAS, C.B.

(No. 10.)

SIR,

Downing Street, August 5, 1859.

I HAVE had under my consideration your Despatch No. 39,* of the 30th November last, requesting instructions as to the disposal of convicts sentenced to transportation in British Columbia. In reply I have to inform you that no British Colony remains available for the reception of offenders sentenced to penal servitude or transportation in any places out of the United Kingdom, and that the only resource available for their punishment is imprisonment with hard labour in the country where their offences are committed.

Governor Douglas, C.B.
&c. &c.

I have, &c.
(Signed) NEWCASTLE.

No. 7.

No. 7.

COPY of DESPATCH from the DUKE of NEWCASTLE to Governor DOUGLAS, C.B.

(No. 13.)

SIR,

Downing Street, August 29, 1859.

WITH reference to my predecessor's Despatch, No. 56, of the 28th of April, informing you that Her Majesty's Government were about to call for tenders for the conveyance of the mails between San Francisco and British Columbia, I have to acquaint you that on subsequent consideration it has been decided that the advantages which would be derived by the Colonies of British Columbia and Vancouver's Island would not prove equivalent to the large amount of subsidy that would be demanded for the establishment of this service. The same cause has precluded Her Majesty's Government from entertaining a proposal that had been submitted to them for carrying these mails through Canada and the Hudson's Bay Company's territory. I have therefore to instruct you to endeavour to secure the improvements in the existing service which you pointed out as desirable in your Despatch of the 16th November last,* which I trust will suffice

to meet the requirements of the two Colonies till their progress and increasing importance shall ensure more advantageous proposals.

BRITISH
COLUMBIA.

I have to add that the Postmaster General has obtained the permission of the United States Post Office to forward the correspondence for Vancouver's Island and British Columbia in closed mails, addressed to Her Majesty's Consul at San Francisco, who will forward them by the first eligible opportunity to their destination.

I have, &c.

Governor Douglas, C.B.
&c. &c.

(Signed) NEWCASTLE.

No. 8.

No. 8.

COPY of DESPATCH from the DUKE of NEWCASTLE to Governor DOUGLAS, C.B.,
(No. 14.)

SIR, Downing Street, September 5, 1859.

I SEND you an Act passed in the recent Session of Parliament "to make further provision for the regulation of the trade with the Indians, and for the administration of justice in the North-western territories of America."

The Act applies, as you will perceive, to the territories over which the Hudson's Bay Company recently enjoyed a licence of trade, excluding both the charter territories and also British Columbia. It has been considered necessary by Her Majesty's Government and by Parliament that provisions to this effect should be made in order to enable the Crown to take measures for establishing order in the administration of the executive, and in the conduct of trade in those vast regions, in case any urgent reason for doing so should arise; but Her Majesty's Government have not any immediate intention of advising Her Majesty to exercise the powers given Her by this Act.

I should, however, be glad to receive from you at your convenience a report as to the persons whom you may consider eligible for magistrates in these North-western territories, with which your long service under the Hudson's Bay Company has made you to some extent familiar; and also as to any regulations for the conduct of the Indian trade which your experience may lead you to consider advisable.

I have, &c.

Governor Douglas, C.B.
&c. &c.

(Signed) NEWCASTLE.

Enclosure in No. 8.

Encl. in No. 8.

ANNO VICESIMO SECUNDO & VICESIMO TERTIO VICTORIÆ REGINÆ.

CAP. XXVI.

AN ACT to make further Provision for the Regulation of the Trade with the Indians, and for the Administration of Justice in the North-western Territories of America. [13th August 1859.]

WHEREAS an Act was passed in the Forty-third year of King George the Third (chapter one hundred and thirty-eight), "for extending the jurisdiction of the Courts of Justice in the Provinces of Lower and Upper Canada to the trial and punishment of persons guilty of crimes and offences within certain parts of North America adjoining to the said provinces," and an Act was passed in the Session holden in the first and second years of King George the Fourth (chapter sixty-six), "for regulating the fur trade, and for establishing a criminal and civil jurisdiction within certain parts of North America;" and by the firstly herein-mentioned Act it was enacted, that all Offences committed within any of the Indian territories or parts of America not within the limits of either of the Provinces of Lower or Upper Canada, or of any civil government of the United States of America, should be and be deemed to be offences of the same nature, and should be tried in the same manner, and subject to the same punishment, as if the same had been committed within the Provinces of Lower or Upper Canada; and by the secondly herein-mentioned Act it was enacted, that it should be lawful for His Majesty, if He should deem it convenient so to do, to issue a commission or commissions to any person or persons to be and act as justices of the peace within such parts of America as aforesaid; and it was also enacted, that it should be lawful for His Majesty, by Commission under the Great Seal, to authorize and empower such persons so appointed justices to sit and hold Courts of Record for the trial of criminal offences and misdemeanors, and also of civil causes: And whereas no Courts of Record have been established or authorized as aforesaid; and it is expedient to make further provision for the administration of justice in criminal cases in the said Indian territories, and such other parts as aforesaid of America, and also to make provision for better regulating trade with the Indians in the territories and parts aforesaid: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

43 G. 3. c. 138.

1 & 2. G. 4.
c. 66.

I. It shall be lawful for Her Majesty, by the commission by which any Justices of the Peace are appointed under the said Act of King George the Fourth, or by any subsequent commission, or by any Order in Council, from time to time to authorize any such justice or justices to take cognizance of and try in a summary way all crimes, misdemeanors, and offences whatsoever, except as herein-after men-

Justices of the
Peace in the
British Ameri-
can Indian
Territories

III.

Q

BRITISH
COLUMBIA.

authorized to
try offences
summarily, and
punish by fine
or imprison-
ment.

tioned, within the local limits of the jurisdiction of such justices (or such parts thereof as Her Majesty may direct in this behalf), and to punish such crimes, misdemeanors, and offences by fine or imprisonment, or both; and it shall be lawful for Her Majesty, in manner aforesaid, from time to time to restrict or regulate the exercise of such jurisdiction as She may think fit, and to direct in what cases the same may be exercised by one or by more than one of such justices, and generally to make such provision concerning the exercise of such jurisdiction as to Her Majesty may seem expedient; and it shall also be lawful for Her Majesty, in manner aforesaid, to order or authorize the appointment of all proper officers to act in aid of such justices; and the said justices respectively may do or cause to be done all acts, matters, and things for the execution of their sentences, and in aid of their jurisdiction under this Act, which might be done or caused to be done by Courts of Record having jurisdiction in the like cases: Provided always, that where the offence with which any person is charged before any such justice or justices is one which is punishable with death, or one which in the opinion of such justice or justices ought, either on account of the inadequacy of the punishment which such justice or justices can inflict, or for any other reason, to be made the subject of prosecution in the ordinary way, rather than to be disposed of summarily, such justice or justices shall commit the offender to safe custody, and cause him to be sent in such custody for trial to Upper Canada, as provided by the said Act of King George the Fourth, or, where such justice or justices may see fit, to the Colony of British Columbia; and such offender may be tried and dealt with by any Court constituted in British Columbia having cognizance of the like offences committed there, and such Court shall have the like powers and authorities for this purpose as under the said Acts are given to any Court in Canada in the like cases.

The power to
establish courts
of record not to
be affected.

II. Provided, That nothing herein-before contained shall be taken to repeal or affect the provisions of the said Act of King George the Fourth concerning the establishment of Courts of Record in the said territories, and where such Courts are established any offenders within the limits of the jurisdiction thereof may be committed for trial to such Courts instead of the Courts of Canada or British Columbia.

Her Majesty, by
Order in Coun-
cil, may make
regulations for
the trade with
the Indians.

III. It shall be lawful for Her Majesty, by and with the advice of Her Privy Council, from time to time to make such rules and regulations as She may deem expedient for the conduct of the trade with the Indians, and for diminishing or preventing the sale and distribution of spirits to the Indians, or for promoting their moral and religious improvement, to be in force in all or any portions of the territories mentioned in the said Act of King George the Fourth which may not be included in any grant or licence for the time being in force under that Act.

Hudson's Bay
Company,
British
Columbia, and
Vancouver's
Island not
affected.

IV. Nothing herein contained shall extend to the territories heretofore granted to the Company of Adventurers trading to Hudson's Bay; and nothing herein contained shall extend to the Colony of British Columbia, save as herein expressly provided, or to the Colony of Vancouver's Island.

No. 9.

No. 9.

Copy of DESPATCH from the DUKE of NEWCASTLE to Governor DOUGLAS, C.B.

(No. 15.)

SIR,

Downing Street; September 5, 1859.

* Page 31.

I HAVE received your Despatch No. 189,* of the 6th of July, transmitting for my approval and confirmation a return of the provisional appointments which you have made to offices in British Columbia between 1st January and 30th June 1859.

I am unable, in the absence of more full information than is supplied by your Despatch, to confirm these appointments. I cannot impress upon you too strongly the necessity of confining the expenditure of British Columbia within the limits of the revenue, and, in the present state of the finances of the Colony, of maintaining its establishments on the most economical scale, consistent with due regard to the proper administration of the Government, and the preservation of order in the country. At the present moment, when the efflux of population from the Colony is great and constant, I cannot feel satisfied of the necessity for the creation of so large a number of new appointments, involving an additional annual charge of nearly 3,000*l.* on its resources.

I have, therefore, to instruct you to furnish me with a return of the whole civil establishment of British Columbia, distinguishing the appointments that have been sanctioned by the Secretary of State, and affording me a full explanation of the grounds for the creation of those which you have provisionally established, and of the nature and extent of the duties attached to them. Pending the receipt of this report I am compelled to withhold my confirmation of the appointments in the list that accompanies your Despatch, for the creation of which the sanction of the Secretary of State has not been previously given.

I have also to instruct you to transmit to the Secretary of State, in future, quarterly returns, in the form of which I annex a copy, of all changes in offices, or new appointments in the Colony.

Governor Douglas, C.B.
&c. &c.

I have, &c.
(Signed) NEWCASTLE.

No. 10.

BRITISH
COLUMBIA.
—
No. 10.COPY of DESPATCH from the DUKE of NEWCASTLE to Governor DOUGLAS, C.B.
(No. 16.)

SIR,

Downing Street, September 5, 1859.

I HAVE to acknowledge the receipt of your Despatch No. 167,* of the 8th June, and to thank you for the general information it contains as to the state of British Columbia. I have also to request that you will convey to Mr. Justice Begbie the expression of my thanks for the very full and interesting account of his expedition up the country.

* Page 16.

Governor Douglas, C.B.
&c. &c.I have, &c.
(Signed) NEWCASTLE

No. 11.

No. 11.

COPY of DESPATCH from the DUKE of NEWCASTLE to Governor DOUGLAS, C.B.

SIR,

Downing Street, September 5, 1859.

AMONG the many difficulties with which the organization of Government in British Columbia has to contend I cannot but think that the presence and residence in that colony of the several officers who have been appointed by the Crown to conduct its affairs is indispensable.

I have not received any special report from yourself on this subject; but from such information as I collect from other sources (subject to your better knowledge as to its correctness), it would appear that this essential duty is very much disregarded.

Being yourself Governor both of Vancouver's Island and British Columbia, you have necessarily a divided duty to perform; but the unavoidable absence which this occasions on your part cannot dispense with the closer attention of other British Columbian functionaries to their duties.

It is stated that the Judge, the Colonial Secretary, his assistant, the Attorney-general, and the Treasurer, are all at present residing in Vancouver's Island.

This state of things must be put an end to at once, and the gentlemen in question must be warned that they must repair with the least practicable delay to the scene of their duties, or, if they decline to do so, must at once resign their situations. I am aware that there may be difficulties in finding residences in a colony just commencing its existence; but these difficulties must be overcome, as they would by this time have been overcome, had not the close neighbourhood of the colony of Vancouver's Island afforded so easy a means of absenting themselves for the time from their posts.

Governor Douglas, C.B.
&c. &c.I have, &c.
(Signed) NEWCASTLE.

No. 12.

No. 12.

COPY of DESPATCH from the DUKE of NEWCASTLE to Governor DOUGLAS, C.B.
(No. 22.)

SIR,

Downing Street, September 19, 1859.

YOUR Despatches noted in the margin,* relating to the establishment of an assay office in British Columbia, have been considered by Her Majesty's Government, and a communication will be immediately addressed to the Master of the Mint regarding the arrangements necessary for giving effect to this design. Her Majesty's Government have not overlooked the objections which suggest themselves to the work of a refinery and assay being undertaken by a Government establishment; but in view of the example derived from the experience of California, and having regard to the advantages to the miners in ascertaining and realizing their treasure, as well as to the facilities which will be afforded in the collection of a revenue from an export duty on gold, Her Majesty's Government have given their sanction to the measure.

* No. 135,
April 11, 1859,
page 4 ;
No. 158,
May 25, 1859,
page 13.Governor Douglas, C.B.
&c. &c.I have, &c.
(Signed) NEWCASTLE.

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COLUMBIA.

No. 13.

No. 13.

COPY of DESPATCH from the DUKE of NEWCASTLE to Governor DOUGLAS, C.B.
(No. 24.)

SIR,

Downing Street, September 23, 1859.

* Page 26.

I HAVE to acknowledge your Despatch No. 182,* of 2nd July last, in which you represent that the cost of the military force now stationed in British Columbia, with the heavy charge of colonial pay, is more than the finances of the Colony can at present bear, and urge on Her Majesty's Government the necessity of assuming some part of it.

From this Despatch, and from your other correspondence, I am not sure whether you clearly understand, that it was never the intention of Her Majesty's Government to throw the entire cost of this military force on the Colony. Their regimental pay is to be defrayed from Imperial funds.

But with regard to the colonial pay and allowances, I cannot depart from the instructions already given you by Sir E. B. Lytton, being confident that the resources of the Colony are such as will in all probability enable it to overcome existing difficulties, and provide for this portion of its expenditure within a reasonable time.

Governor Douglas, C.B.
&c. &c.

I have, &c.
(Signed) NEWCASTLE.

No. 14.

No. 14.

COPY of DESPATCH from the DUKE of NEWCASTLE to Governor DOUGLAS, C.B.
(No. 27.)

SIR,

Downing Street, September 29, 1859.

• Page 101.

WITH reference to my Despatch No. 22,* of the 19th inst., acquainting you that Her Majesty's Government had sanctioned the establishment of an Assay Office in British Columbia, I transmit to you for your information, the copy of a correspondence between the Treasury and this department, showing the arrangements which it is intended to adopt for carrying this measure into operation.

Governor Douglas, C.B.
&c. &c.

I have, &c.
(Signed) NEWCASTLE.

Encl. in No. 14.

Enclosure in No. 14.

SIR,

Treasury Chambers, September 19, 1859.

WITH further reference to your letter of the 11th ultimo, I am directed by the Lords Commissioners of Her Majesty's Treasury to transmit herewith copy of a Report from the Master of the Mint on the subject of the establishment of a Government assay office and refinery in British Columbia, and I am to request that you will inform the Duke of Newcastle that the arrangements suggested by the Master of the Mint appear to my Lords to be judicious, and if his Grace should be of the same opinion, my Lords will authorize Mr. Graham to engage the services of the persons recommended by him; on the conditions proposed, and to provide the necessary stores, &c. Their Lordships consider that the best course to follow in regard to the preliminary expenses will be to advance the sum of 2,000*l.*, suggested by the Master of the Mint, out of the grant for British Columbia, on the understanding that the amount will be repaid from the colonial revenue.

H. Merivale, Esq., C.B.
&c. &c.

I have, &c.
(Signed) GEO. A. HAMILTON.

Sub-enclosure.

SIR,

Royal Mint, September 9, 1859.

WITH reference to your letter of the 30th ultimo, transmitting papers relative to the establishment of an assay office and refinery in British Columbia, and informing me that their Lordships were prepared to sanction the necessary proceedings for the establishment of a Government assay and refinery in British Columbia, and requesting me to report to their Lordships on the arrangements which should be adopted for the purpose, I beg to report accordingly as follows:—

From the success which has attended the assay and melting department at Sydney established by Government, it may reasonably be expected that such an establishment as that contemplated in British Columbia will be self-supporting from the first, and in a short time highly remunerative, for the income of the Sydney Mint last year was 15,000*l.*, and the whole expenses 12,000*l.*; the large revenue stated being entirely derived from fees on operations of melting and assaying executed for the public, while, as the yield of gold-fields of British Columbia appears to approach to if it does not already exceed that of the province of Victoria, the receipts are likely to be on a large scale. The superior intelligence and energy of the resident Superintendent are a further guarantee of the success of the undertaking. It is very necessary, however, to occupy the ground as soon as possible, and anticipate the erection of private refineries.

Captain Gosset, in a report dated 25th April 1859, which he addressed to the Acting Secretary of the Colony, suggests the following organization for the establishment, with the probable expenses for the first and second years :—

BRITISH
COLUMBIA.

	First Year.			Second Year.		
	£	s.	d.	£	s.	d.
One assaying officer - - -	400	0	0	450	0	0
One smelting officer - - -	400	0	0	450	0	0
Two assistants - - -	500	0	0	600	0	0
One accountant clerk - - -	300	0	0	350	0	0
Implements - - -	1,000	0	0	100	0	0
Transit of party, stores - - -	1,000	0	0	—		
Buildings - - -	500	0	0	—		
	£4,100	0	0	£1,950	0	0

This scheme appears to be the result of careful consideration, and I have no hesitation in recommending it to the favourable attention of their Lordships, slightly modified as follows :

	First Year.			Second Year.		
	£	s.	d.	£	s.	d.
One assayer - - -	450	0	0	500	0	0
One assistant assayer - - -	300	0	0	350	0	0
One melter (if obtainable) - - -	450	0	0	500	0	0
One operative melter - - -	250	0	0	300	0	0
One accountant clerk - - -	300	0	0	350	0	0
Three months' half-pay to all the staff, calculated from day of appointment - - -	218	15	0	—		
Stores sufficient for one year's consumption -	1,000	0	0	100	0	0
Transit of party and stores (including 100% outfit and passage-money to each of four officers, and 70% to the operative melter) -	800	0	0	—		
Buildings - - -	500	0	0	—		
	£4,268	15	0	£2,100	0	0

The persons appointed to be assured of their salaries for two years and a half, as proposed by Captain Gosset, the operative melter to be further allowed 50% for return passage-money if he chooses to return home after serving the time specified.

The great difficulty in carrying out the present scheme is the lowness of the salaries offered for professional services. At the Sydney mint the assayer is allowed 580% the first year, and 630% the second, and yet, with this larger salary, the greatest difficulty was experienced in finding a qualified person on the occurrence lately of a vacancy in the office. I am happy, however, to be able to inform you that no difficulty exists at present in filling up the offices of assayer and assistant assayer at the salaries which I have specified. It will also be possible I believe to obtain the services of a qualified operative melter; but great difficulty is experienced in finding a suitable person practically qualified to act as the head of this branch (as melter) for the salary offered. Such an officer is desirable to give weight and responsibility to the establishment, but not I believe indispensable. In the absence of a melter from the staff, one or both of the assayers may be instructed before embarking, so as to be able to conduct the melting department with the assistance of the operative melter.

The name of an accountant clerk has been suggested by Captain Gossett, Mr. Hiff, at present a clerk in the London and Westminster Bank, with whom I can communicate, and report upon his qualifications, if it is the pleasure of their Lordships.

As the assayers and melters will be fully occupied for at least two months in collecting and preparing (under proper supervision) the numerous implements, apparatus, and material required in their respective departments, the first step to be taken will be to nominate persons to these offices. In the pressing circumstances of the case, I may perhaps be allowed to submit at once the names of such officers as I have already selected, after full inquiry, for recommendation to their Lordships.

As assayer, Mr. Francis George Claudit. Mr. F. G. Claudit is 23 years of age. He is younger brother of Mr. Frederick Claudit, of Cannon Street, City, a professional assayer of eminence, and has been assistant to his brother for several years.

As assistant assayer, Mr. Frederick Henry Bousfield, 20 years of age, who has also been a junior assistant in Mr. Claudit's assay laboratory for the last three years. Both the gentlemen named have received a good scientific education, and are qualified to analyze ores, and act generally as analytical chemists, and if sent, will prove, I have no doubt, a valuable acquisition to the Colony.

Of the early completion of the staff, with or without a principal melter, I entertain no doubt.

It is desirable that funds should be immediately available to the extent of about 2,000% for the expenditure to be incurred for stores, outfit, and salary in this country. On the institution of the Sydney mint, the Master of the Mint was authorized to make the necessary advances for such purposes from the mint cash account, to be afterwards refunded by the Colonial Government. But the course to be pursued on the present occasion I must leave to the judgment of their Lordships.

It does not appear to me that any necessity exists for the exercise of a continued supervision by the Home Government of the projected assay office and refinery in British Columbia beyond the assistance, in its first establishment, proposed to be granted in this country.

The future management of the establishment may be safely left with the Colonial authorities.

I have, &c.
(Signed) THOS. GRAHAM.

BRITISH
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SIR,

Downing Street, September 30, 1859.

I AM directed by the Duke of Newcastle to acknowledge the receipt of your letter of the 19th instant, with its enclosure from the Master of the Mint, stating the arrangements which he would recommend in the establishment of a Government assay office and refinery in British Columbia.

I am desired to state that the Duke of Newcastle concurs in the suggestions of the Master of the Mint, and would request their Lordships to authorize their being at once carried into effect.

G. A. Hamilton, Esq.
&c. &c.

I am, &c.
(Signed) H. MERIVALE.

No. 15.

No. 15.

COPY of DESPATCH from the DUKE of NEWCASTLE to Governor DOUGLAS, C.B.

(No. 29.)

SIR,

Downing Street, October 20, 1859.

* Page 40.

I HAVE to acknowledge the receipt of your Despatch No. 206,* of the 18th of August last, forwarding a report lately received from Colonel Moody, of a reconnaissance of the Harrison and Tillooet route to the Upper Fraser, under the command of Lieutenant Palmer, R.E.

Governor Douglas, C.B.
&c. &c.

I have, &c.
(Signed) NEWCASTLE.

No. 16.

No. 16.

COPY of DESPATCH from the DUKE of NEWCASTLE to Governor DOUGLAS, C.B.

(No. 30.)

SIR,

Downing Street, October 20, 1859.

* Page 32.

I HAVE to acknowledge the receipt of your Despatch No. 201,* of the 16th August last, enclosing the report of an overland journey of survey in the districts of British Columbia, bordered on the Thompson, Fraser, and Harrison Rivers, conducted by Lieutenant Richard Mayne of Her Majesty's ship "Plumper."

Governor Douglas, C.B.
&c. &c.

I have, &c.
(Signed) NEWCASTLE.

No. 17.

No. 17.

COPY of DESPATCH from the DUKE of NEWCASTLE to Governor DOUGLAS, C.B.

(No. 31.)

SIR,

Downing Street, October 21, 1859.

* Page 49.

I OBSERVE in your Despatch of the 23rd August, No. 207,* that you express your anxious wish for the arrival of the gun-boats promised for the service of British Columbia by my predecessor in his Despatch of the 10th† of last March.

† Vide Papers
presented
August 1859,
p. 81.

Having made inquiries of the Admiralty on this subject, I learn that the two gun-boats in question were despatched on the 28th of last August, that they sailed from St. Vincent on the 22nd ultimo, and that they were then bound to the River Plate, with orders to the Admiral on the station to send them on as soon as he could spare them.

The "Ternagant" (screw frigate) was to accompany them; but I apprehend she was destined for the general service of the station.

I take this opportunity of apprizing you that Her Majesty's Government have ordered the "Topaze" and "Clio" to join the squadron on the north-west coast of America.

Governor Douglas, C.B.
&c. &c.

I have, &c.
(Signed) NEWCASTLE.

No. 18.

BRITISH
COLUMBIA.
No. 18.

COPY of DESPATCH from the DUKE of NEWCASTLE to Governor DOUGLAS, C.B.

(No. 32.)

SIR,

Downing Street, October 21, 1859.

WITH reference to my Despatch of the 29th September, No. 27,* on the subject of the establishment of an assay office and refinery in British Columbia, I have to inform you that the Master of the Mint has been authorized to carry into effect the arrangements which have been proposed for the accomplishment of this object. * Page 102.

I now enclose you the copy of a Letter from the Treasury, with an annexure, from which you will learn that Mr. Bacon and Mr. Hitchcock have been engaged as melters.

I have, &c.

Governor Douglas, C.B.
&c. &c.

(Signed) NEWCASTLE.

No. 19.

No. 19.

COPY of DESPATCH from the DUKE of NEWCASTLE to Governor DOUGLAS, C.B.

(No. 33.)

Downing Street, October 28, 1859.

SIR,

(Answered, No. 27, February 25, 1860.)

I HAVE to thank you for your Despatch of the 23rd August, No. 207,* reporting upon the state of British Columbia down to that date. There is much in that report which affords satisfactory evidence of the value of this Colony as a British possession; but it is impossible to peruse your Despatch without being struck with the little progress which has been made in the communications into the interior. * Page 49.

From the large expenditure incurred on account of the Harrison Lilloett road, and the zeal which was so early manifested in the Colony for its formation, Her Majesty's Government were led to suppose that a route would be opened for the miners, which would considerably abridge the distance in reaching the scene of their labours, and facilitate the transport to them of the means of subsistence. I now learn that this work is being faintly prosecuted by the Royal Engineers, under the command of Captain Grant; that funds to the extent of 30,000*l.* are needed for its completion, besides, as you inform me, "the helping hand of Government on all sides." You throw out a suggestion that this pecuniary assistance could be easily raised by way of loan, either in England or in Vancouver's Island, provided its payment were guaranteed by Parliament. I think it right to lose no time in disabusing you of the impression you allow yourself to entertain that the Imperial Parliament could be recommended to take the course you wish. Both Parliament and the English public claim from British Columbia an energetic development of the great natural resources with which it is endowed.

The admonitions which have been so ably and so frequently proffered by my predecessor, that British Columbia should look to her own exertions for success, must not pass unheeded, but a practical exemplification of that advice must be exhibited. Her Majesty's Government have applied to Parliament already for advances in aid of the Colony to an extent which shows that no reasonable demands have been refused when proved to exist; but this assistance must not be drawn into a precedent to be followed on all occasions, nor lead you, or the inhabitants of the Colony, to expect that this country shall supply you with the means of developing those resources, which it is your duty to make the most of yourselves. I am explicit with you on this point, and wish you to understand that Her Majesty's present Government, sharing completely the sentiments of the late Government in respect to British Columbia, cannot venture to ask Parliament for any such guarantee as you desire.

2. You have on many occasions adverted to your intention of levying an export duty on gold; but as no report has reached this office of your having done so, I conclude that impediments have arisen to frustrate this very necessary measure. Now, however, that it has been determined to set up a Government assay office in the Colony, you will lose no time in resorting to the expedient for which you have pressed Her Majesty's Government to give you such facilities as are requisite.

3. I am glad to hear that the miners have been so successful in their pursuits on the Thompson and Quennel Rivers. I wish it were in my power to assist them in regard to banks of deposit. But these conveniences of a highly civilized state of society will accompany wealth by degrees, and can scarcely be looked for at so early a period of

BRITISH
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advancement as British Columbia has yet arrived at. Possibly some arrangements may be made with the Bank of British North America, which has the power and intention of carrying on banking business in Vancouver's Island and British Columbia.

4. The newspapers enclosed in your Despatch contained intelligence of a highly interesting nature, and I will thank you to send me more from time to time.

Governor Douglas, C.B.
&c. &c.

I have, &c.
(Signed) NEWCASTLE.

No. 20.

No. 20.

COPY of DESPATCH from the DUKE of NEWCASTLE to Governor DOUGLAS, C.B.

(No. 3.)

Downing Street, January 7, 1860.

SIR,

I TRANSMIT to you herewith the copy of a Letter which has been addressed to this Department by Captain Clarke, R.E., late Surveyor General of the Colony of Victoria, accompanied by a proposed scheme for the disposal of the Crown lands in British Columbia.

My attention is at present occupied in the consideration of the best means by which the country lands of the Colony can be made more readily available than is the case at present for occupation by agricultural settlers, and I shall be glad if in the meantime you will give your consideration to the scheme suggested by Captain Clarke, and will furnish me with the opinion which your experience and local knowledge may lead you to form of its applicability to the circumstances of British Columbia.

Governor Douglas C.B.
&c. &c.

I have, &c.
(Signed) NEWCASTLE.

Encl. in No. 20.

Enclosure in No. 19.

MY DEAR SIR,

Army and Navy Club, Monday.

I SEND you a report on the British Columbian Papers, and which I now return.

I have written this report in the form of a proposed Order in Council, under the second section of the Act of 1858, providing for the government of British Columbia, explaining each section as proposed.

I am aware that I have gone far beyond the intention with which these papers were sent me, but I found in reading them so many points suggesting themselves, as well as the difficulty of explaining an isolated portion of a system, that I have been rather forced to write more than was perhaps necessary.

Even as it is, I almost fear that I have failed to explain clearly a system which, if it is adopted in British Columbia, will effectually secure its settlement without, on the one hand, playing too much into the hands of the Americans, or on the other, checking immigration from any quarter.

As I believe that but little time ought to be lost to give to British Columbia a clearly defined land system—whatever system may be adopted—I have sent the report as first written. This, and as most of last week I was engaged in Colchester, will I trust plead for me for the very imperfect shape I send this report.

The Under Secretary of State.

Believe me, &c.

A. CLARKE.

Sub-enclosure.

CHAPTER

SECTION . Alienation of Crown lands to be by sale at public auction as hereafter described.

SECTION . Excepting from above provision country lands once or oftener submitted for sale at auction, and not bought, which may be purchased by contracts with Governors or officers named to receive purchase-money; also lands required for the purposes of Government, either general or municipal, or held under public trusts, where trustees are named or approved by executive Government, or incorporated in legislative acts; also with respect to engagements made by the Crown to naval and military settlers.

SECTION . Province to be divided into counties, hundreds, and parishes.

SECTION . Lands to be distinguished into town and country lots.

SECTION . Authority to Governor to convey.

SECTION . No lands to be alienated or conveyed till surveyed and limits marked on public charts and boundaries, &c. described in registers.

SECTION . No grant to cover alienation of more than one square mile, or 640 acres, or no greater area to be offered at auction than said quantity in one lot.

SECTION . Lowest upset price to be five shillings per acre.

- SECTION . Upset price of town lots to be fixed by Governor in Council.
- SECTION . Town lots to be sold only at auction.
- SECTION . Power to Governor in Council, in case of country lands, the probable value of which is enhanced by circumstances, to raise upset price to approximate value.
- SECTION . All lands (town and country) put up to auction at prices respectively stated in schedule of sale, will be declared to be purchased by the bidder of the upset price, or the highest bidder above it, provided he shall pay down then and there the whole amount of purchase money, or a deposit of 25 per cent. on the amount of purchase money, the remainder to be paid within 60 days from date of sale.
- SECTION . Purchaser to sign sale book.
- SECTION . Should purchaser neglect to pay balance of purchase money within 60 days, the deposit of 25 per cent. will be forfeited, and the land, if classed as country land, be declared open for future purchase, either at auction, or as hereafter prescribed.
- SECTION . Country lands once offered for sale, and for which no offer has been made, or on which the deposit has been forfeited, may, at discretion of Governor in Council, be advertised as open for selection or purchase by private contract at prices affixed.
- SECTION . All applications for land to be purchased by selection, or private contract, to be made in writing, and purchase money deposited.
- SECTION . As far as practicable, all lands to be sold in or near site of such lands.
- SECTION . All lands open for selection or purchase by private contract should, for twelve months after date for first advertisement, be subject to selection only at the nearest Government office, or magisterial bench to site of such lands, and then subsequently only at the Chief Crown Land Office.
- SECTION . All contemporaneous or conflicting applications for same land to be determined at auction.
- SECTION . All lands to be sold by auction, or otherwise, to be advertised at least 30 days before time or date of sale.
- SECTION . All lands sold to be described with purchaser's name attached, and advertised within reasonable time after date of sale.
- SECTION . Registers, with charts attached, describing such lot and subsequent history to be kept in Chief Crown Lands Office.
- SECTION . Beyond the limits of survey, or, in other words, beyond ten miles from the nearest lands surveyed, sold, or ready for sale, licences on application to the nearest bench of magistrates may be issued to persons desirous of selecting land for settlement and the immediate purpose of cultivation or other lawful occupation.
- SECTION . Such applications to be made in writing, setting forth description of site selected, intention of occupation, and readiness to purchase land when offered for sale, or to relinquish it, if required for public purposes, or purchased by other or higher bidder.
- SECTION . Licence to issue for one year only: fresh application required for renewal.
- SECTION . Fee fixed on licence.
- SECTION . In granting this concession of sanctioning the occupation of land under annual licence liable to revocation at any time for public purposes, the Crown, desirous of protecting the property and industry of the licensee, will grant, in case of sale of land occupied, a full and fair valuation for improvements made on its land, such valuation to be attached to the upset price of land when offered for sale at auction, and to be paid down by any purchaser other than the licensee, should he not have been able to obtain the land.
- SECTION . Similar licences to issue for occupation of lands, limited in area, for business purposes, within the sites of proposed townships, or in and on gold-fields.
- SECTION . Same protection afforded licensees within towns, &c., as in country lands.

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SECTION . Without the boundaries of declared hundreds, land for depasturage of stock may be occupied under annual licence; amount of licence fee to be determined by capability of land; or, when two or more applicants wish for same land, the amount of licence to be determined at auction, in which case highest bidder to have right of renewal of depasturing licence for years. This licence, it being distinctly understood, to lapse when all or portion of land occupied under it be brought within a hundred, be applied for for purchase, or be occupied by miners working for gold, or for extended mining operations, or required for public purposes; in any of which cases proportionate amount of rent to be returned.

SECTION . If land occupied for depasturage be sold during term of licence, or at expiration of licence, original licensee not receiving renewal at auction, or otherwise, valuation of improvements be allowed to outgoing licensee, to be paid by purchaser or incoming occupier.

SECTION . Within the limits of proclaimed hundreds, depasturing licences to be issued to residents or purchasers of land within said hundreds.

SECTION . Annual licences to be issued to persons to fell timber, remove stone, open brick-fields, &c.

SECTION . On the site of probable townships, and on the gold-fields, where land for building, &c. has not been sold, business licences to be issued, annual, renewable; such licences not on renewal to be subject to auction.

SECTION . Fees payable on said business licences to be in proportion to frontage to street or thoroughfare occupied, but under one license not to exceed feet.

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SECTION . Declaring undesirable to sell auriferous land, but when land sold gold in it conveyed to purchasers with soil, but subject to tax, duty, or royalty as other gold from Crown lands.

SECTION . Annual licences to mine for gold on Crown lands to issue to individual miners.

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- SECTION . Leases of "worked-out" gold-fields, extended sluice washings, for puddling machines, quartz reefs, deep sinkings, to issue at a minimum upset price of per acre or per yard of reef.
SECTION . Extent of claim regulated by local legislation.
SECTION . Power to associated miners to divert course of streams, cut sluices, races, &c., &c.
SECTION . Similar power for mills either for quartz crushing, sawing timber, &c., laying down tramways, rails, &c.

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- SECTION . General rules regulating survey with regard to main roads, navigable waters, permanent streams, lakes, springs, general size and proportion of lots, &c.
SECTION . Power reserved in grants for the Crown or its servants to open roads, &c., stating basis on which compensation should be given.
SECTION . General power to justices of the peace to control mining operations when injurious to public.
SECTION . Publication of the names of all licence holders, applications for land, &c., to be required.
SECTION . Appropriation of revenue.
SECTION . All lands sold or occupied liable to general or local rates.
SECTION . General powers to Governor in Council to alter, amend, and give effect to, &c., as long as not repugnant to general tenor of these orders.
SECTION . All licences to issue from open bench in certain cases. Bench to obtain approval of Governor.
SECTION . Conviction before bench or higher court, licence to be forfeit.
SECTION . Appeal to Governor in Council from above.
SECTION . Justices to be Commissioners to give effect to these orders.

No. 21.

No. 21.

COPY of DESPATCH from the DUKE of NEWCASTLE to Governor DOUGLAS, C.B.
(No. 9.)

SIR, Downing Street, February 18, 1860.

* Page 69.

I HAVE had the honour to receive your Despatch No. 231,* of the 10th of November, acknowledging some Despatches from my predecessor, on the disposal of land in British Columbia. No practical question is raised by this communication, and it is unnecessary for me to enter further into the particular question to which it relates.

† Page 106.

But I may take the present opportunity of cautioning you (although the caution is perhaps unnecessary), that in transmitting to you in my recent Despatch No. 3,† of the 7th of January, Capt. Clarke's scheme for the disposal of lands, you are not to suppose me to have done so as a preliminary towards carrying such a scheme into execution by the instrumentality of an Order of Her Majesty in Council. I think that the subject is not one fit to be dealt with by that authority, and that any attempt to frame in this country regulations entering so much into detail would be misplaced. My object was merely to put you in possession of the views of a gentleman of great ability, who formerly occupied a high position in Australia, and enjoyed the confidence of the colonists, upon the best means of meeting difficulties such as he had himself encountered in administering the affairs of a rapidly growing Colony, in order that you might have the benefit of his experience. You will be able to judge for yourself how far the principles embodied in his scheme would be of any assistance to you in British Columbia, subject of course, in case you approve those principles, to all the modifications of detail which the difference of local circumstances might require.

Governor Douglas, C.B.
&c. &c.

I have, &c.
(Signed) NEWCASTLE.

No. 22.

No. 22.

COPY of DESPATCH from the DUKE of NEWCASTLE to Governor DOUGLAS, C.B.
(No. 12.)

SIR, Downing Street, February 28, 1860.

* Page 78.

I HAVE to acknowledge the receipt of your Despatch No. 241,* of the 23rd December, enclosing a copy of a letter from Colonel Moody relative to the portions of land which it may be desirable to reserve in Burnard's Inlet for naval purposes.

Governor Douglas, C.B.
&c. &c.

I have, &c.
(Signed) NEWCASTLE.

No. 23.

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No. 23.

COPY of DESPATCH from the DUKE of NEWCASTLE to Governor DOUGLAS, C.B.

(No. 17.)

SIR,

Downing Street, April 16, 1860.

I HAVE to acknowledge the receipt of your Despatch No. 218,* of the 13th of September, enclosing copies of the following Proclamations issued by you for the Colony of British Columbia, viz.— * Page 51.

No. 7. Proclamation dated 15th May 1859, for the naturalization of aliens.

No. 8. Proclamation dated 19th May 1859, respecting oaths.

No. 9. Proclamation dated 2nd June 1859, altering in some respects the Act for levying duties of Customs on imports into British Columbia.

No. 10. Proclamation dated 15th June 1859, imposing tonnage, pilotage, and harbour dues at the port of New Westminster.

No. 11. Proclamation dated 25th June 1859, amending the preceding Proclamation.

No. 12. Proclamation dated 10th August 1859, amending the law relating to the licences for selling spirits, &c., and for other purposes.

No. 13. Proclamation dated 31st August 1859, entitled the Gold-fields Act.

On the subject of the Proclamation for the naturalization of aliens I shall address you in a separate Despatch. The remaining Proclamations have been submitted for the sanction of the Queen, and they have been laid before Parliament in compliance with the provisions of the Act 21 & 22 Vict. Cap. XCIX.

I transmit herewith extract of a report by the Law Advisers of this Department, respecting the form of these Proclamations, and I shall be glad if you will cause the suggestions therein contained to be followed in the preparation of future enactments.

I have, &c.

Governor Douglas, C.B.
&c. &c.

(Signed) NEWCASTLE.

No. 24.

No. 24.

COPY of DESPATCH from the DUKE of NEWCASTLE to Governor DOUGLAS, C.B.

(No. 18.)

SIR,

Downing Street, April 16, 1860.

I HAVE had under my consideration the Proclamation issued by you for British Columbia, on the 15th of May last, for the naturalization of aliens, of which a copy was transmitted to me with your Despatch No. 218,* of the 13th of September.

* Page 51.

This Proclamation (which you appear to have framed after the model of the law of Canada), provides that every alien who has resided in the Colony for three years may demand naturalization, on producing a declaration of his residence and character from some British subject, on making himself a declaration of residence, and on taking the oath of allegiance. The latter declaration must be made, and oath taken before a Justice of the Peace, who is to declare that he knows no reason why the applicant should not be naturalized. These conditions being fulfilled, the Court of British Columbia is to record the proceedings, and the alien is to be deemed a British subject for all purposes whatever, "while within the Colony of British Columbia." The naturalization may be annulled, if any party to either of the above declarations is convicted of perjury therein. But the Court is not entitled, as a matter of course, to examine into the truth of the documents which it records.

The certificate from a British subject is thus merely nugatory, since in every community individuals will be found who will sign it without any knowledge of its truth.

Under this law, it would apparently be in the power of a fugitive American felon, by an easy fraud, to obtain all the rights of a British subject, and to qualify himself, so far as nationality is concerned, for any office in British Columbia, or a place in the Legislature as soon as such a body shall exist.

I am desirous that every facility should be given for acquiring the character of a British subject, but a certain amount of *bonâ fide* residence and respectability ought to be required as a condition of naturalization. It appears to me desirable, if it be practicable, that the Court of British Columbia, or some special officer designated for the purpose, should be empowered to require proof, satisfactory to such Court or officer, of the required residence, and of the respectable character of the applicant for naturalization, and that, as

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a guide to the decision on this point, persons having been convicted of treason, felony, rape, forgery, or any other infamous crime, should be disqualified from naturalization.

I am willing, however, to leave this question to your discretion and local knowledge, and I do not propose to interfere with the operation of the Act in its present form. I have accordingly submitted the Proclamation for the sanction of Her Majesty, and it has been laid before Parliament with the other Proclamations issued by you.

As a matter of language, the 4th clause should give the alien the rights of a British subject "within," not *while* "within," the said Colony of British Columbia. The effect of introducing the word "while" would be (if the provision were valid), (1), that the naturalized persons "while" within British Columbia would have the rights of a British subject elsewhere, (a privilege which the Colonial Legislature cannot confer; and (2), that while absent from the Colony his rights of holding property within it would be dormant (which is not intended). The word "while" therefore should be omitted.

Governor Douglas, C.B.
&c. &c.

I have, &c.
(Signed) NEWCASTLE.